This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

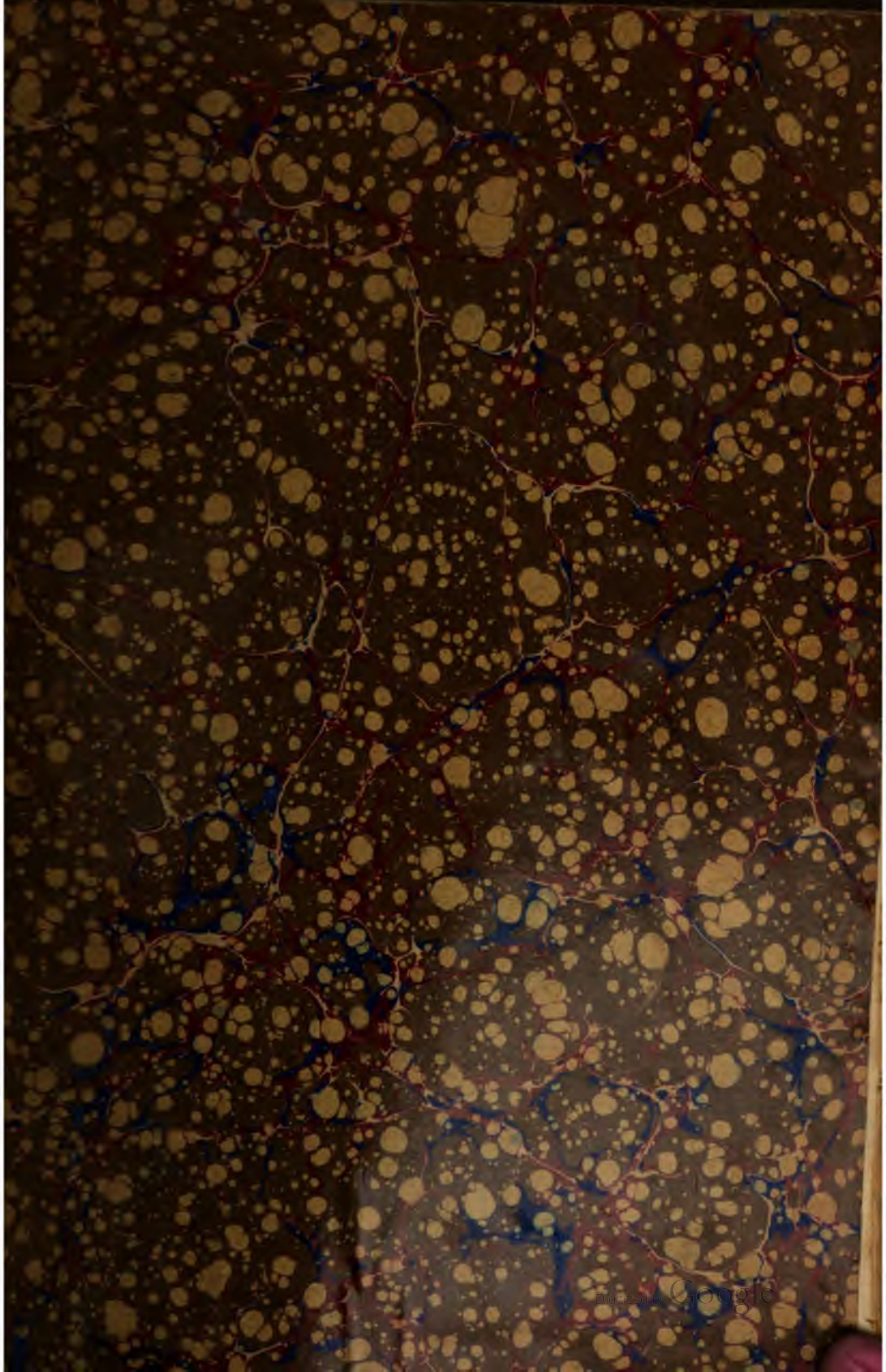
Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

B 51091 4

Digitized by Google

PRESENTED TO
THE LIBRARY
OF THE
UNIVERSITY OF MICHIGAN
By Rabbi Louis Grossmann
Jan. 1888

Digitized by Google



Digitized by Google

AP
92
.M54

Digitized by Google

Digitized by Google

29701

THE MENORAH

A MONTHLY MAGAZINE

OFFICIAL ORGAN OF THE B'NĒ B'RĪTH

EDITED BY BENJAMIN F. PEIXOTTO

VOL. II.

JANUARY TO JUNE, 1887.

NEW YORK
MENORAH PUBLISHING COMPANY
No. 39 BROADWAY
1887

Digitized by Google

Copyright, 1887.
By BENJAMIN F. PEIXOTTO.

Press of Philip Cowen,
498-500 Third Ave
New York.

Digitized by Google

CONTENTS

VOL. II.—JANUARY TO JUNE, 1887.

PAGE

A. A. Have Regalia been Abolished 214-215

ABRAHAM, *Lewis*

Consolidation of Jewish Orders II 25

" " " III 70

Personal Reminiscences I 176

Affairs of the Order

The death of Brother Rodacher; An important decision; Pacific Coast Lodges 29-31

Annual meetings of the Grand Lodges; Extract from a tribute to the memory of Nathan Bloom 90-92

Annual Meeting of D. G. L. No. 1 73

The Order in Germany; Accounts of the proceedings of the Annual Convention of District G L. Nos. I IV, VI & VIII. 143-149

Ladies' Auxiliary Society of the Yonkers Home; Jegar Sahadutha Lodge; Testimonials to Bros. Waterman, Fox and Sulzberger; Hillel Lodge No. 28; The New B. B. Orphan Asylum 219 222

Annual Report of D. G. L. No. 1—New York Lodge, Zion L., Saron L.; The Order in Germany; Hamburg, Gleiwitz, Dresden; Convention of New Orleans Lodges 272-279

Convention of D. G. G. L. No. 2; The New Officers of D. G. No. 7; Annual Meeting of the Executive Committee; Jewish Orphan Asylum, Cleveland; The B. B. in Germany Ophir Lodge; Presentation to Secretary A. S. Myers. Address of B. F. Peixotto at Memphis; Zephaniah Lodge. 334

Alliance Israelite Universelle 65

American Art

By Chauncey M. Depew 183

PAGE

ASCHHEIM, *I. J.*

The Maccabees of the Occident 126-131

BEECHER, *Henry Ward*

Jew and Gentile 193-204

BIEN, *Julius*

History of the I. O. B. B. 12-15, 67-70, 123-125, 160-163, 253-261 296-302.

See "Deutscher Theil."

Bloom, Nathan

By Benjamin F. Peixotto 75

BLOOM, *Fannie Peixotto*

Encourage the Pioneers 21

Brooks Story, The

Poem by Benjamin F. Hays 7

BUSH, *Isidor*

The Endowment Problem in Dist. 3, 131-133

Leopold Kompert. See "Deutscher Theil."

Consolidation of Jewish Orders

By Lewis Abraham 25, 70

COSTELLO, *Almedo*

The Singers of the Soul 294

Chronicles of the Day (see *Monthly Record*)

Y. M. H. Assoc'n—Lectures: "Woman's place among the ancient Hebrews" Hebrew Free Schools; First Roumanian American Congregation; Jewish immigrants; Edward Everett Lodge; American Hebrews 223-230

Annual meeting of the Hebrew Orphan Asylum; Jewish Immigrant's Protective Society; Mr. Marken's Jews of To Day; Hebrew Technical Institute; Y. M H. A.; Columbia College. 279-285

Digitized by Google

PAGE

Hebrew Technical Institute; Y. M. H. A; Columbia College Law School; A Jewish Mayor in Selma; A Iewish President of the Board of Education in Cleveland; A Conversion to Judaism; Notes. 340

DEPEW, *Chau cey M*

American Art 183-185

Echoes from Memphis. 330

Editor's Bureau

Brief Review of the activity of the U. H. Charities of N. Y.; B'nē B'rīth in Germany; Millaud. New French Minister 40-41

The Hebrew Union College of Cincinnati 95

The *Hebrew Standard*; Dr. Makower; The Sanitary Aid Society; Dr. M. Gaster, the English Chachamate; U. H. C.; Mr. Oscar S. Straus, Minister Resident of the U. S. at Constantinople; Henry Ward Beecher; 231-236

Bro. Julius Fenchel's Defence of the Order; The *Jewish Exponent;* Sculptor Ezekiel Knighted; Memento Mori: Mrs. Kate Marcus 285-288

The First Year of the MENORAH; Karpeles' History of Jewish Literature, translated by Dr. R. J. H. Gottheil; The Louisiana Outrages; Thr Annual Message of President G. A. Levi; Dr. Friedlein's 80th Year; Notes. 344

Deutscher Theil [following page 350]

Jahres Bericht des Ordens B'nē B'rīth, by Julius Bien 1

Worte gesprochen am Sarge des Bruders Reuben M. Rodacher, by M. Thalmessinger 21

Leopold Kompert. Ein Blättchen der Erinnerung, by Isidor Bush 24

Directory of Lodges in Germany 28

Dr. Friedlein's Beleuchtung der MENORAH 29

Die B'nē B'rīth keine Geheime Gesellschaft, by Julius Fenchel. 32

Jahres-Versammlunge der Districts Gross-Logen 34

Der Orden in Egypten 41

Bericht des Präsidenten. No. VIII. 44

Egypt. The Order in (see *Deutscher Theil.*)

PAGE

Encourage the Pioneers

By Fannie Peixotto Bloom 21

Endowment Problem in Dist. No. III.

By Isidor Bush 131-133

Endowment in District No. III.

By Alfred T. Jones 212-214

Endowment Law in the Southern District, The New 324

FELSENTHAL, *Rev. Dr. B*

Review of Jewish Publications

1. A New Hebrew Dictionary; Finn's Ha-Otzar; 2. Publications of the "Me-Kitzē-Nirdanim in 1886; 3. Prof. Geiger s Zeitschrift 262

Literary Miscellanies: 4. Chronological dates in Hebrew Literature; 5. Loeb's Tables, etc. 6. When commences Jewish Chronology to become exact; 7. Is Sherira Gaon trustworthy.

FENCHEL, *Julius*

Defence of the Order B. B. 285

FRIEDLEIN, *Dr. E. M.* (*See Deutscher Theil.*)

GOTTHEIL, *Richard J. H. Ph. D.*

Karpeles' History of Jewish Literature 306

Fisher's Wife, The

Poem by Benj. Franklin Hays 186

FRANZOS, *Karl Emil*

My Uncle Bernhard; A Tale of To-day, translated from the German by G. D. Maduro Peixotto 97-153

German Department. (See *Deutscher Theil*)

HAYS, *Benjamin Franklin*

The Brook's Story, A Poem 7

The Fisher's Wife, A Poem 186

HAYS, *Daniel P*

Hebrew Jurisprudence I. 16

Hebrew Jurisprudence II. 57

HEAVENRICH, *Edgar E*

Spinoza 120

Heinrich Heine

By Dr M. Jastrow 174

History of Jewish Literature II

Review of Gustave Karpeles' Work 164-170

Digitized by Google

PAGE

History of the I. O. B. B. By Julius Bien

CHAPTER VII. 12-15

The Motto of the Order

CHAPTER VIII 67-70

Zion Lodge 2; Address of Dr. Merzbacher.

CHAPTER IX. 123-125

Bro Dr. Merzbacher; Origin of Temple Emanu-El

CHAPTER X 160-163

Extension to the West; An English speaking Lodge; The brothers Abraham; Isidor Bush; The first organ of the Order, *Israel's Herald*

CHAPTER XI 253-257

A second lodge in Baltimore; it raises the question of non-Israelites; adverse decision of the Grand Lodge; dissolution of Emanuel Lodge; institution of Har Sinai No. 8, and Har Moriah No. 10, in Philadelphia; Lebanon No. 9, and B'er Sheba No. 11 in New York; influence of the Order upon social and Congregational Life

CHAPTER XII 257 261

Adoption of a new Constitution and erection of D. G. Lodges Nos. I. & II.; Council of S'kenim and Officers composing Constitution G. L.; letter on promulgation of new law; mission of the Bnē B'rīth declared by Dr. Merzbacher

CHAPTER XIII

The new Constitution 296

History of Jewish Literature, by Gustave Karpeles. Translated by R. J. H. Gottheil, Ph.D. 306

HYNEMAN, *Rebekah*

"Judith," A Poem 247

The Lost Diamond. Chap. I. 319

JASTROW, *M. Dr*

Heinrich Heine 174

Jewess, The

Poem by Joaquin Miller 29

Jew and Gentile

By Henry Ward Beecher 193

Jews of France, The Some Pertinent Facts 178

PAGE

Jewish Society

By Dr. M. Spitz 170

JONES, *Alfred T*

The Endowment in District No. III. 212-214

Review of the Affairs of District No. III. 86-89

Judith

Poem by Rebekah Hyneman 247

Jurisprudence, Hebrew

By Daniel P. Hays 16-57

Karpeles' History of Jewish Literature

Translated by R. J. H. Gottheil, Ph.D. 306

Kompert, Leopold

By Henry S. Morais 9

By Isidor Bush. (See Deutscher Theil.)

KOHUT, *Adolph* (of Dresden)

Pages from the life of Moses Mendelssohn, Lessing and "Nathan the Wise," adapted from the German by Geo. D. M. Peixotto

Ku-Klux Outrages in Louisiana

By G. A. Levy 210

Literature, Art and Science

Y. M. H. A. Lectures on Jewish Topics 27

The Jews in Munkacsy's "Christ before Pilate" 89

Jewish Aid in the Revolution 136

American Art 137

The Anglo-Jewish Ass'n 138

Emma Lazarus' "By the Waters of Babylon" 216

Prof. Heinrich Zirndorf's "Isaac Marcus Jost and his Friends"—Review 217 218

Dr. B. Felsenthal's Review of Jewish Publications 262 265

Political Situation of the Jews in Germany; Prof Lazarus 265-268

The Anglo-Jewish Historical Exhibition 268

Dr. Gottheil's Hymns and Anthems 270

Dr. Adolph Stern's Translation of Hamlet into Rouman 271

Literary Miscellanies. By Dr. B. Felsenthal. 289

Chronological Dates in Hebrew Literature; Loeb's Tables, etc.; When Jewish Chronology commences to become exact; Is Sherira Gaon trustworthy.

Digitized by Google

PAGE

LEVI, *Leo N*

The American Hebrews' Work 105

LEVY, *G. A*

Ku Klux Outrages in Louisiana 210

See Annual Message D. G. L. No. 7.

Lost Diamond, The 319

By Rebekah Hyneman

Maccabees of the Occident, The

By I. J. Aschheim 126

MAHLER, *B.*

Annual Message D G. L. No. 2. (See *Official Department.*)

MILLER, *Joaquin*

The Jewess, A Poem 26

MORAIS, *Henry S*

Leopold Kompert 9

Monthly Record (see *Chronicles of the Day*)

Jewish Ministers' Ass'n; Mt. Sinai Hospital; The New Home for Widows and Orphans in New Orleans; The Hebrew Free School Ass'n.; The Montefiore Fair; A New Synagogue in Harlem; The Standard Ass'n 33-38

Hebrew Technical Society; Hebrew Free School at Harlem 92-94

Y. M. H. A. of Brooklyn; The Hebrew Union College 138 142

My Uncle Bernhard

By Karl Emil Franzos, translated from the German by G. D. Maduro Peixotto 97-153

Official Department (at end of vol)

January: Court of Appeals—Appeal LXIX.; Golden Gate Lodge No. 129 *vs*, D G. L. No. 2 2

Appeals LXX. LXXI. XXIII Esther Lodge No. 159, Joachim Lodge No. 181, Emanuel Lodge No. 103, Euphrates Lodge No 35, Hiddekel Lodge No. 100, and Simon Tuska Lodge No. 192. *vs*. D. G. L. No. 7 34

February: Report of the Charleston Fund I, II.; Appeals Nos. LXXIV and LXXV. Esther Lodge No. 159, Euphrates Lodge No. 35, Hiddekel Lodge 100, and Simon Tuska No. 192 *vs*. D. G. L. No. 7 67

Appeal LXXVI. Brother Julius Fenchel *vs*. the decision of District Court No. 8 78

PAGE

Appeal LXXVII, Pres. of the G. L. for Germany, against the decision of District Court VIII, in the matter of the Relief Committee of Deutsche Reichsloge against their own lodge 91

Constitution Grand Lodge, Officers—Court of Appeals, Judges—Annual Meeting D. G L. No 7; Message of G. A. Levi—Annual Meeting D. G. L. No. 2; Message of B. Mahler; Reports of officers, etc. 103

Open Letters

Shall the Orphan Asylum be sold? 38 85

A Trio of Philanthropists, Peabody, Montefiore, Corcoran 38

Poem: "Weary, so Weary" 85

Letter from Alfred T. Jones 86

The Maccabees of the Occident, by I. J. Aschheim 126

The Endowment Problem in District No. 3, by Isidor Bush 131

A Lodge in the Land of the Pharaohs, by S. S 134

The New Jewish Seminary by Ibri Onochi 135

Unite or Die, by Seligman J. Strauss 205

Ku Klux Outrages in Louisiana, by G. A. Levy 210

The Endowment in District No. 3, by Alfred T. Jones 212

Have Regalia been Abolished? by A. A 214

Echoes from Memphis 330

Pages from the Life of Moses Mendelssohn

By Dr. Adolph Kohut of Dresden, translated by G. D. M. Peixotto 49

PEIXOTTO, *Benjamin Franklin*

Story of the Roumanian Mission 1, 82, 113, 188, 249

Nathan Bloom 75

Joseph Ritter von Wertheimer, Biographical sketch of 237

PEIXOTTO, *G. D. M.*

Translations from the German. 49, 97, 153

Personal Reminiscences

By Lewis Abraham 118-176

The Poet 302

Rodacher, Reuben M. (See *Deutscher Theil.*)

The Singers of the Soul.

By Almedo Costello 294

Digitized by Google

PAGE

SPITZ, *Dr. M.*
Jewish Society 170

Spinoza
By Edgar E. Heavenrich 120

Story of the Roumanian Mission
By Benjamin Franklin Peixotto, Ex-Consul General to Roumania

CHAPTER VII.
Days in Vienna; Notable Personages: Auerbach, Jellinek, Goldschmidt. Rothschild, Königswarter, Kompert, etc. 1

CHAPTER VIII.
Kronstadt 81

CHAPTER IX AND X.
Entering Roumania; Interview with the German Consul General de Radowitz 113

CHAPTER XI.
Bucharest in 1871; First Official Visit to Minister Catargi; The Reigning Sovereign, Prince Charles; The Diplomatic Corps; Some of its Prominent Members 188

PAGE

CHAPTER XII.
Private audience with Prince Charles and the Princess Elizabeth; Some Personal Characteristics; Autograph Letters of General Grant and Berthold Auerbach 249

CHAPTER XIII.
Official Reception by the Prince; A Happy Day for the Hebrews of Roumania 303

S S
A Lodge in the Land of the Pharaohs 134

STRAUSS, *Seligman J*
Unite or Die 205

THALMESSINGER, M. (See *Deutscher Theil.*)

Unite or Die. A Plea and a Plan for the Consolidation of the Orders, by Seligman J. Strauss 205

Weary, so Weary Poem, 85

Wertheimer, Joseph Ritter Von
By Benjamin Franklin Peixotto 237

ILLUSTRATIONS

Nathan Bloom . . . . . February *Frontispiece*

Joseph Ritter von Wertheimer . . . . May *Frontispiece*

Digitized by Google

Digitized by Google

THE MENORAH

VOL. II. *JANUARY, 1887* No. 1

STORY OF THE ROUMANIAN MISSION

CHAPTER VII.

DAYS IN VIENNA. NOTABLE PERSONAGES: AUERBACH, JELLINEK, GOLDSCHMIDT, ROTHSCHILD, KÖNIGSWARTER, KOMPERT, ETC.

MY first meeting with Berthold Auerbach was by accident. He happened to be on a visit to Vienna at the time of my passage through the city. It was Ritter von Wertheimer who introduced me to the celebrated author. We became good friends immediately and he at once proposed to give me a letter to the Princess Elizabeth. I wanted it to Prince Charles, the reigning sovereign of Roumania but he said, "No, for political reasons, I think it best it should be to his consort." "You see," he said, "my late letter to the Prince's father, printed in the German papers and reproduced by Prince Charles' enemies at Bucharest has given him trouble and were I to repeat it by another commending you, in his present frame of mind it could not serve you. A letter to the Princess, who is amiability personified, will accomplish the same purpose, put you on most friendly terms with the Princier house without exciting criticism or embarrassment."

He gave me this letter which procured me in due time a footing I probably could not otherwise have so easily obtained, although the Princess told me later on that she thought the gifted author had been indiscreet in addressing an open letter to the Prince's father. There had, in fact, been great intimacy between Antoine of Hohenzollern-Sigmaringen and Auerbach who I believe at one time had been tutor in his family, and this had led the latter shortly before we met to write him a letter strongly protesting against the persecution of the Roumanian Jews, and invoking his intercession with his son in their behalf.

Digitized by Google

Riding with him one day we suddenly came across a gentleman walking leisurely along at the corner of the Ring and Kärnthnerstrasse, when Auerbach touched the button of the fiacre, and, putting his head out of the window, cried lustily, "Jellinek, what ho, Doctor," and with the word, as the vehicle came to a stop, sprung to the ground, calling to me to follow and the next moment was wringing the hand of the eminent Viennese Rabbi who received his greeting with no less *empressement.*

These mutually warm salutations over, Auerbach presented me and I had then the pleasure of forming a friendship which has only increased with years, and can end only with life.

The great preacher was a comely-looking man, of fine presence, of most agreeable and striking features, of great warmth and suavity of manner, learned and eloquent of speech, a colloquist of rare power.

Indeed, Dr. Adolph Jellinek had at the time few equals in the pulpit. His matchless oratory drew densely packed audiences, who hung breathless upon the mellifluous music of his voice and were captivated and overcome by the strength and power of his argumentation. Bold, fearless and eloquent, he attacked without trepidation the forms and superstitions which had grown up and for so many centuries usurped the place of the sublime principles of Judaism. The hollow and baseless idols were hopelessly shattered. Like a gladiator fighting for dear life, he fought as if the lives of his hearers were at stake and their salvation depended upon his words. Scathing in his criticism he broke the shell of emasculated dogma and penetrated to the kernel revealing truth with all the majesty of reason, all the conviction of logic.

For him Judaism was something more than a name, something loftier than a dogma, something better than a form. It was a spiritual revelation whose embodiments and expressions were not for a day, nor for a generation, but for all men and for all time.

An instrumentality, which its history and its teachings served but as examples and illustrations for the accomplish-

Digitized by Google

ment of its divine mission. If he was all fire and energy in his tabernacle, for his temple resembled such, Dr. Jellinek was all gentleness, geniality and *bonhomie* in his closet. It was in his study, at his home, that I learned then and later to know the man, and to know is to love him.

Another day I went to the Renngasse to call upon Baron Rothschild and was received by the noble, whole-souled Ritter, Moritz von Goldschmidt, chief of the great banker's *maison.* Upon being announced by a liveried attendant I was ushered, at once, into his presence to find him taking his luncheon which he continued to devour with an appetite as if he had not tasted food for a fortnight. Apologising for his seeming rudeness, he said, "Time is precious. I know you will forgive me, you Americans are so practical and then you know we can talk while I eat or will you not eat something? No? well, tell me then how can I serve you;" "I want to see Baron Rothschild," was my answer. "I have letters to him from Frankfort." "Give them to me, I will see he gets them and it will be all the same." "No," I persisted, "I wish to deliver them in person." "But you know the Baron rarely receives visitors except"—and he smiled as he said it—"princes and lords." "I am as good as either," was the reply, "and I have come 6000 miles and more on my way to help our brethren of the Orient." "Oh yes, I know all about your mission, I have read of it and my friend Wertheimer has told me all about you. It is beautiful, and I am in hearty sympathy with it, but I assure you I can answer the purpose." I did not then know what I afterwards learned that the good Chevalier's word was all potent with the great Baron, and I continued my insistence. "Very well," he said, swallowing the remainder of his meal and the contents of his wine glass, "I'll go and see what I can do for you. Go into the next room and wait a while." We had been in the Ritter's snug little bureau, but passing thence I entered a large chamber fit for a prince's reception though having no great ornaments and few attractive features, except a full length portrait which hung over the high mantelpiece, revealing a stately-looking gentleman.

Digitized by Google

I had been but a few moments regarding it when its living counterpart entered the room accompanied by the Ritter. He came straight up to me, saying, "You desired to see Baron Rothschild, I am he." A fine, upright looking figure with striking features, both indicative of great firmness and decision, stood before me and the abruptness of his coming and speech nearly took my breath away. Recovering quickly, for I recognized the value of his precious moments, I briefly but resolutely stated the object of my visit, presenting at the same time my letters. He took them and rapidly ran them through. "Yes," he said, "I will gladly give you letters of introduction to our correspondents in Bucharest and Jassy. You shall have them at your hotel to-morrow. I wish you every success in your great but most difficult work. I appreciate its importance, I wish I could believe your task an easy one, but I know too well the character of those Wallachs, their cunning and duplicity, I have grave apprehensions. This, I hear, will not deter you. Go then and later, perhaps, we can otherwise serve you." He pressed my hand and was gone as suddenly as he had entered. The good Ritter engaged me for some time further in conversation, pointing out the shoals and quicksands that would probably obstruct my progress, and then with an *Auf Wiedersehen* we bade each other *guten Tag*.

The Baron kept his word. The next day I received at my hotel a large packet with the armorial bearings of his house which, upon opening, I found to contain half a dozen letters to prominent people in Roumania, while a personal letter bade me "God speed" on my journey.

Another notable personage whose acquaintance I made and who likewise gave me letters, was Baron Jonas von Königswarter, the head of the Jewish community of Vienna, which distinguished position he had held for many years.

A man of exalted character, of purest principles, of strong orthodox views, a strict observer and possessing no inconsiderable influence at Court. A short, stout, well knit figure with a good head, an exterior which gave only very

Digitized by Google

imperfectly the deep and sympathetic character of the man and might easily deceive the stranger.

Adverse to reforms, he however sympathized with the misfortunes of our Roumanian brethren and promised to use his efforts with Count Beust to promote the objects of my mission in the co-operation of Austria with the other Powers and the United States in semi-official and friendly counsel with the Roumanian authorities.

Like Baron Rothschild he believed in strengthening the hands of the Prince whose position he recognized to be one of great difficulty, but one which he could render more secure by firmness and decision in repressing violence at every cost. I also met his son, Baron Moritz, whom I found a strict Israelite like his worthy father, and deeply imbued with sympathy for our co-religionists.

It was again through Chevalier von Wertheimer that I was indebted for my acquaintance with Leopold Kompert, the novelist. He was then a year or so less than fifty. Below the medium height, of serious and thoughtful countenance, retiring in his manner and apparently, but only apparently, indifferent to all things which did not concern himself or the creations of his fertile brain. A Bohemian by birth, his life had been passed in Vienna where he had written his charming Stories of the Ghetto and secured a position of comparative independence. His first book which gave him fame appeared when he was but 26, and while he was yet house steward in the service of Count George Andrassy. "Tales of the Ghetto" was followed by the "Bohemian Jewess," a romance of peculiar beauty, but not equal to either his first or second Ghetto stories. It was in French that I first read his Ghetto novels into which as into other languages they had been translated.

As a *Feuilletonist*, he had likewise won a wide reputation. Tutor in the family of Goldschmidt, he passed from this position to a situation in the house of Rothschild which enabled him to pursue his literary work almost without restriction. An exceedingly minute delineator, his portraits and sketches are faithful word-paintings from

Digitized by Google

life and have a pathos and charm excelled by few living writers.

His abode, No. 20 Annagasse, was on the third or fourth *etage*, where he dwelled in comfort surrounded by his books and ever most happy in his literary pursuits.

He thought my mission to be a huge undertaking not only from a political standpoint, but the difficulties inherent to the people whose cause I would serve. He probably spoke from his keen perception of the character of Polish Jews, whose study he had so carefully made, but his views at the time did not impress me with being other than those of a romancist, while as to the former no man could accurately judge without intimate personal knowledge of the secret springs which were constantly shifting the scenes and marking the changes in the Oriental question.

Among other notabilities on whom I called at the suggestion of my friend and counsellor von Wertheimer, were the eminent Deputy and publicist, Dr. Ignaz Kuranda, the poet, Ludwig August Frankl and the British Consul-General, Brandeis-Weikerscheim. In these noble-hearted co-religionists I found earnest sympathisers, as in fact in all those with whom I came in contact and some of whose names will appear later on. Dr. Kuranda was both congenial and hospitable, Dr. Frankl full of sadness for the forlorn ones of the Principalities, and Brandeis-Weikerscheim applauding what he called "my courage and resolution."

The hour for my departure had now arrived. The last evening in Vienna before turning my face to the East was spent with my friends, the Wertheimers, and I shall never forget the tenderness with which they bade me adieu.

The morning of my farewell to the Imperial city dawned bleak and cheerless, the earth was robed in a heavy mantle of fresh fallen snow, the wind was piercing as I drove to the Hungarian station and, when I took my seat in the coupé, I found it bitterly cold. "All aboard for Pesth," shouted the *Schaffner*. His shrill whistle sounded, the locomotive gave forth a long, piercing cry, and a few moments later we were bounding away towards the lands of the Donaufürstenthum.

Digitized by Google

THE BROOK'S STORY.

Once, said the brooklet, now long ago,
The mountains were white with melting snow ;
And larger grown, and in pomp and pride,
Rushing along with a roaring tide
I grew impatient of check and shore,
And yearned to wander the wide earth o'er :
Nothing I said to the passers-by,
Yet I could see the fear in their eye,
And laughed to myself as I heard them say,
"It has ne'er been higher than 'tis to-day ;"
The while I larger, and larger grew,
And high about me the spray I threw ;
Till at the ford in the market place,
Where I used to glide with smiling face,
I rose one night in a mighty glee,
Shouting aloud, "I'm free ! I'm free !"
I rushed impetuous through the town—
All that opposed me striking down—
And laughed, as I heard the farmers say,
"There'll be a sad sight before the day ;"
But I only laughed in wilder glee,
And shouted, "hurrah ! I am free, am free."
The schoolhouse there, so old and brown,
I caught in my arms and carried down.
Then, with a leap and a sudden roar
I turned and rushed the green meadows o'er ;
The lambs rose bleating and sought to flee,
But the meadow turned to a heaving sea ;
Throwing my arms round their wool so white,
I soothed their cries in my eager flight.
All was quiet—the moon overhead
Looked down and smiled on my floating dead—
When suddenly, in the moonlight's gleam,
A horseman dashed beside my stream ;
I saw, as into his face I peered,
That for his wife and his child he feared,
And I dashed the spray in wildest glee
Shouting aloud, "I am free ! I am free !

Digitized by Google

Faster and faster, and ever along,
His hoof-beats echoed unto my song;
The faster he spurred, the faster I strained,
And shrieked with delight at each foot I gained,
For I knew, should he reach the old mill lane,
I ne'er could catch up to his steed again.
Then I gathered my strength and dashed along,
Mocked his fears with my laughing song
Which floated wide o'er the waters free,
And echo answered, "I'm free! I'm free!"
We neared the lane and I led the race;
I saw the anxious look in his face;
Saw him drive his spurs in the bloody flank;
Saw him urge his steed as he neared the bank,
And heard him thunder along the bridge
That spans the glen near the walnut-ridge;
But scarcely had he to the middle gained
When I caught the bridge, and tugged and strained,
And tossed it about in my arms so light,
Then dashed it and followed it down the height,
And laughed, ha! ha! through the starlit night
At the thought of the horse's and rider's fright
Then trembling stood and held my breath,
For in the fall they had met their death.
Then I bore him along with tender care,
And twined a wreath 'mid his dank, cold hair;
But my heart was grieved, and my joy was o'er,
While I stole in haste to his cottage door,
And knocked, and knocked, till I dashed it in,
Then softly crept with my floating sin
Till I reached the bed where his wife did sleep,
And round the bed did I softly creep,
And I lifted the dead and laid him there
Upon the bosom all warm and bare;
I took his child from his little bed,
And laid him beside his father—dead.
Then his wife awoke with a sudden scream,
That startled the echoes adown my stream;
But I spoke to her low with my icy breath,
And she clasped her husband again in death.
Then I softly crept from the silent room,

Digitized by Google

And glided out of the cottage tomb,
Rushed madly along till I reached the lake,
And sobbed and sobbed as my heart would break—
While the wind, as it swept o'er the moonlit sea,
Brought back in derision—"I'm free! I'm free!"

BENJ. FRANKLIN HAYS.

LEOPOLD KOMPERT.

THE Jew is, indeed, the marvel of all history. His record presents a striking development, characterized by most peculiar episodes, such as no other nation can offer. His culture to-day owes its origin to the period of the *Ghettos* and the *Judengassen*. In the midst of galling oppression, he unfolded the powers of his intellect. Confined in narrow precincts, removed from the outside world, forbidden to breathe the same air with other creatures of the One Universal God, driven to the wall, he learned, despite ages of cruel treatment, to rise above his sorrows, to forget his wrongs; and sought to build up his energies, for the weal of his own people, and of humanity at large. What modern knowledge owes to the Ghetto; what literature, science, and philosophy have derived from the labors pursued within its cooped-up limits, cannot be over-estimated. The great minds of our day have borne witness to the influences of that thought which sprung from times that "tried men's souls." A literature in itself has been supplied by the Ghetto. History and romance vie with each other in portraying scenes, in depicting character, in presenting types illustrative of the life, the habits, the doings of him whom the world treated with scorn; who was regarded as the outcast, the wanderer among created beings. And in this century, history and romance have been remarkably productive. But a single fact remains apparent: in writing of the Ghetto and its inhabitants, one must needs have felt its direct influences on his own

Digitized by Google

self; in other words, a Jew whose ancestors were confined within its own surroundings, would alone seem fitted to picture in bold colors, to tell in words that burn into the very soul, the long story of a people banished from the outer world.

Leopold Kompert was among the earliest to conceive of such a purpose. Born not far from spots where those hated *Judengassen* once existed, reared in the midst of the very people whose sires had lived in the circumscribed territory, he was early initiated into its history and associations. The ardor he displayed in pursuing the subject, soon gave promise of results of great advantage to the reading public. When only twenty-six years of age, in 1848, Kompert produced his first work, entitled, "Tales from the Ghetto." A new department in literature was opened. The graphic style, the intense interest, the striking descriptive powers of the Jewish novelist, were all appreciated, and his introductory work met with genuine approbation, and was eagerly perused by all classes. Though engaged in the service of the Austrian Count, George Andrassy, and subsequently employed as tutor in the Goldschmidt family, Kompert did not allow any relaxation of his literary labors. He followed up his task slowly, but steadily, and. caring more for the intrinsic merit of his productions than for the applause of a sensation-loving public, he exercised the utmost precaution to prevent any previous announcement (or advance notice) of his books; and he never permitted his natural enthusiasm for a subject to unduly hasten him in bringing forth a new work. His "Tales from the Ghetto" were supplemented by another series from the same source, possessing all the interest, and beauty of delineation which so charmed the readers of his first work.

Later on, Kompert discharged editorial functions, and he finally obtained the encouragement of the Rothschild family, one of whose members provided for the novelist a situation in his own household, whereby Kompert could follow the profession to which he was wedded by a real love, not less than by ties of blood and race. Space does not permit a mention of his numerous writings, among which "The

Digitized by Google

Bohemian Jewess," and the "Tale of a Street" have been especially welcomed in hundreds and thousands of households. Several of Kompert's productions have received an English version; but it is a cause for regret that their author did not enjoy a wider fame. In America, particularly, where his books ought to have found a warm reception, his reputation is exceedingly limited. Kompert's innate modesty, in stepping before the world, and his quiet, unexcited life, may have occasioned that circumstance.

It was in the year 1857, when *The Occident*—that excellent monthly periodical, issued in Philadelphia, by the late Rev. Isaac Leeser,—first introduced Leopold Kompert to an American audience. In the pages of that magazine, for November, and December, 1857, and January, 1858, Leopold Kompert's tale, "Reb Isaac's Spectacles," was presented in an English garb, and aroused keen interest, by its touching narrative, its sparkling wit, its elevating moral, and the high tone which pervaded this Jewish novel—the creation of the Jewish intellect. In a prefatory note, Mr Leeser says of Kompert:

"As he is, as yet, we believe, not known among the English-speaking Israelites, we have resolved to give these a taste of the powers of the Jewish novelist, who amuses, while he instructs, by the quaintness of his humor, and his accurate acquaintance with the life of the German-Hebrew population in times gone by . . . . Mr. Kompert richly deserves that he should be familiar to Israelites everywhere."

A perusal of even that short story, "Reb Isaac's Spectacles," will, we are sure, awaken in the reader the strongest desire to become thoroughly acquainted with those works, which have led to the discovery of a new domain in the vast extent of Jewish literature; which will leave an indelible impress upon our own generation, and be a means of enlightenment to our successors; enlarging the mind, removing ill-founded impressions, and awakening a real sympathy for all human creatures,—irrespective of race or kinship. Such was the mission of Leopold Kompert, who, on the 23rd of November last, exchanged the terrestrial for the celestial. That mission and his name are henceforth linked together; its success will be his crown of glory.

HENRY S. MORAIS.

Digitized by Google

HISTORY OF
THE INDEPENDENT ORDER B'NE B'RITH *

CHAPTER VII.

THE MOTTO OF THE ORDER.

HAVING disposed of this question of secrecy, which not only was the subject of much deliberation at the incipient stage of the Order, but of frequent discussion and consideration subsequently, we will inquire into the adoption of the motto of the Order.

The Order centralizes epigrammatically its expression of principles in the motto :—

"Benevolence, Brotherly Love, and Harmony."

Though every one of these words expresses a thought independent in itself, yet, as is generally the idiom of language, it requires a more exact definition, in order to comprehend the whole bearing, as well as the intended meaning of the terms; especially where differences and dissension in the conception might give rise to an erroneous judgment.

We must assume that these words were not selected promiscuously; they were undoubtedly chosen as specially expressive of the aims of the Order, and determined upon and accepted with great caution as the true and most comprehensive terms for the signification of the purposes of the Order. It would seem that the seeming tautology of the words, "Brotherly Love and Harmony" would call for a still further explanation.

According to the character of our motto every word stands for a certain conclusive idea, which, though independent of itself and containing a peculiar meaning of its own, is yet logically connected with the other expression or the product thereof. The word "Harmony" has the appearance of a superflous appendix, as "Brotherly Love" would make it a self-evident conclusion, and it looks as if it were lacking all characteristics of an independent thought.

*Copyright, 1886

Digitized by Google

However, the history of the Order will furnish us the explanation.

The words of the motto were frequently the subject of instruction and elucidation within the Lodge room, they were expatiated upon on repeated occasions, and their significance fully embodied in the work and organization of the Order, and we will have no difficulty in tracing the real intent and purport which the founders of the Order desired to embody therein.

Benevolence expresses that sentiment which forms the tender chord which links man to his fellow man by the ties of divine relationship. To discard self, to think of others, to take an interest in their welfare without considering the advantages or disadvantages arising therefrom to one's self, is an attribute which a kind Providence has imbedded in the human breast, to be nursed, furthered and brought to the highest perfection ; it is a spark of the Divine light, that elevates man to the highest pinnacle of moral supremacy. But, like all the noble attributes of man, the spark must be kept alive and fanned to a living flame by training and education, by moral and religious tuition, and especially by the practical application of the impulse dormant within us. It is thus that all the religious systems of civilization have dwelt upon this virtue as one of the principal elements of religious duty and practice, and none more so than the Jewish religion which forms the ever welling source of all modern religions. The entire moral structure of Judaism rests upon the foundation of Benevolence, from it flow the Biblical instructions to assist the stranger, to help the poor, to clothe the naked, to feed the hungry, to send forth the mother bird before taking out the nest, to remove the stumbling block from the path of the blind, culminating in the sublime command, "Love thy neighbor as thyself," and in the words of Hillel : "What is hateful to thee do not unto thy neighbor."

The practice of benevolence educates the heart, it is the mother of all virtues, and it was therefore to be held constantly before the eyes of the brethren, and its inculcation to be repeated never so often. It meant something far higher than charity; charity often leaves the heart cold, it frequently

Digitized by Google

gratifies selfishness for relieving or removing distress that becomes painful to behold; benevolence on the other hand sets all the chords of our hearts in action, it ennobles our life and brings us in full sympathy and accord with the highest aspirations of humanity.

Thus the word "Benevolence" stands by itself. In its operations it knows neither nationality nor sect; it knows but one brother, and that brother every man who carries upon his brow the signet of Divine origin.

"Brotherly love" naturally flows from "Benevolence," as the river from its mountain source, but though in the abstract of a higher degree, if that were possible, yet in its practical operation more defined and confined. Man but in the rarest of cases can rise to that sublimity which would enable him to clasp every human being to his bosom and to divest himself so completely of self as to embrace in love the first comer he chances to meet.

But we may be so drawn towards our neighbor as to extend to him the unselfish love of brotherhood, at least if we have been given the opportunity of discovering that he is not unworthy of it. We cannot, in practice, embrace the whole fraternity of man, but we may be enabled to extend our heart to a circumscribed circle. The Lodge was to be made the fountain of brotherhood within such a circumscribed circle; there people who had never met before were to form ties of friendship, to become acquainted with the ennobling qualities that made each worthy of the other. There they were to clasp hands and join hearts, not for selfish purposes but for objects which they sought in common and which they pursued as practical disciples of "Benevolence." Then, should fate step in and create conditions in which the hand of a brother, the heart, the love of a brother was needed, the brother could be found within the charmed circle of the Lodge and of the Order. Again, not charity was looked for, devotion, sympathy, moral support, all that which a bosom in which "Brotherly Love" dwelled in reality could give. Thus would "Brotherly Love" turn the lodge room into a family hearth, the Order into a great temple, upon the altar

Digitized by Google

of which would burn forever the sacred flame of Divine love, fostered and nursed by "Brotherly Love."

"Harmony" was the one essential feature to success. People of the loftiest intentions often differ as to the ultimate object to be attained, and the means by which it is to be reached. The grandest enterprises have often been wrecked, the most beneficent purposes frustrated by the passion aroused by divergent opinions, and especially was this the case in the pursuits which involved the discussion and maintainance of religious principles. Harmony and peace were not only essential to the accomplishment of the great work under way, but taught and practiced in the lodge room were to extend their influence to all the walks of life. If the Psalmist said: "How good and lovely it is for brethren to dwell together," he knew that amongst brethren differences are apt to swell into passionate dispute, and hot discussions into obdurate enmity. No work undertaken by a combination of many can sueceed without unity of purpose, unity of will and the subordination of the minority to the determination of the majority. The prevalence of harmony is the test-stone of all corporate enterprises, and therefore peace is prayed for as one of the greatest blessings in the gifts of our Heavenly Father. "Harmony" means the predominance of wise counsel, the subjugation of passion, the practice of an even temper, the fitting keystone of a well planned edifice carried to successful completion. "Harmony" in the Lodge room was a guarantee of harmony in the family, the congregation and the social circle.

"Benevolence, Brotherly love and Harmony" were adopted as a triple crown that could fittingly ornate the brow of a member of the Order, and would distinguish him as a true son of Israel, a worthy member of the great brotherhood of humanity.

Thus the Order was sent forth as an agent of civilization, the youngest offshoot of the ancient tree of Judaism.

Digitized by Google

HEBREW JURISPRUDENCE

I.

ACCORDING to the rabbis, it takes a study of seven hours a day for seven years to understand the Talmud, and, as it is to this store-house that we must go in order to obtain the information we seek, it will not be surprising if one who does not possess the key with which to open its doors, and who has only been able to peep therein through the cracks of translators, shall not lay before the reader all its hidden treasures.

But if I shall be able to convince others, as I have convinced myself, that the civil law of the Jews was based upon a system of good morals and good policy, from which all the nations of to-day have deeply borrowed,—that their criminal code, while founded upon ideas of strict justice, was tempered with a just mercy towards the accused and regard for the sacredness of human life which has never been equalled, even in the civilization of the present century,—in fact, that the humanity underlying its entire legal system not only stands out in strong contrast to the barbaric cruelty and fierceness of contemporary races, but compares to advantage with the legal codes of the most civilized races of the present day,—then I shall at least reap some slight reward for my labors.

The laws of a people are an index of its civilization. From them we learn its standard of right and wrong, the growth and extent of its morality, and the characteristics of its public and social life. The peculiarity of Hebrew jurisprudence over all other systems can be traced to its divine origin. The first and fundamental principles were enacted amidst the most awful manifestations of the divine power. Their violation was to be followed by blighted harvests, famine, pestilence, defeat and captivity; their observance by fruitfulness, health, victory and abundance. The Ten Commandments, handed down by Moses from Mount Sinai, are, as Dean Stanley says, "the granite foundation, the immovable mountains upon which the world is built up." Take

Digitized by Google

away those first principles of Jewish law from the statutes and codes of the civilized world of to-day, and you have sapped them of their very life-blood.

In this country and in England, the law is divided into two classes,—statutory, as enacted by our legislative bodies, and the common law, which comprises the general customs of the country, handed down from the times of highest antiquity by the decisions of our courts. Among the Hebrews, the same general classification can be made; we have the statute law of the Mosaic Pentateuch and the common law, as evidenced by the decisions of the rabbis, or men learned in the law contained in the Talmud.

One of the fundamental principles of the Mosaic law was "purity of worship." The Jews in the times of Moses were essentially a religious commonwealth. They had been chosen by the Almighty as His peculiar people, destined to carry out His great purpose; unless they were faithful to Him, and followed only in His footsteps, they were not to have the protection of His mighty power or to realize any of His promised blessings. Apostasy was the greatest national evil; hence, in addition to the divine punishment of the offender, he was to be stoned to death. The testimony of two witnesses, however, was necessary to secure a conviction. The gravity of the crime can be estimated when we consider that in all other cases neither relative nor creditor of the accused was allowed to testify against him; while in cases of idolatry the evidence of the relative was not only received, but it was made his duty to denounce the offender and to hurl the first stone. Under the Hebrew law, the evidence of spies was not admissible. It was not considered proper for a man to watch his neighbor for the purpose of testifying against him; while the modern idea of decoying a person into the commission of a crime for the purpose of obtaining evidence against him would have been denounced not only as illegal, but as inhuman. In order, however, to preserve the national faith and punish the idolator, an exception was made, and the evidence of any person, no matter by what ruse it was obtained, was received.

Digitized by Google

If the Jew of to-day be tenacious of his rights and a lover of liberty, it is because it is a part of his birthright. The principle that all men are born free and equal, fondly believed by the American orator to be the growth of American soil, germinated in the Mosaic law and was one of its most fundamental doctrines. As Dean Milman says, "Moses annihilated at once the artificial and tyrannical distinction of castes and established political equality as one of the fundamental principles of the State." All men were free. Slavery existed only in a modified form. The Israelite could be reduced to slavery, either by his own consent, or as a thief unable to make restitution, or a debtor unable to pay his debts. The humanity of the Hebrew law, however, is again evidenced by the fact, that, while a master could punish his slave for disobedience, he was amenable to the law if the slave died at the time or within two days thereafter, and the maimed or mutilated servitor received his freedom. At the expiration of seven years, all slaves regained their freedom and were to be sent forth by their masters, supplied with food, raiment and property with which to begin life anew. He could remain with the master if he desired; but, in order to avoid fraud and oppression, the slave who refused to accept his freedom was to be taken before a magistrate and have his ear publicly bored. These and many other similiar provisions serve to show the high regard of Jewish law for the liberty of the subject.

The rights of property were equally sacred, the removal of a neighbor's landmark being regarded as the most heinous crime; and the agrarian law, by which, at the "jubilee," or the end of seven periods of seven years, all the land reverted to its original proprietors, prevented the establishment of large landed monopolies, preserved an equality among the people which largely contributed to their well-being and prosperity, and made it unnecessary for them to establish poor-laws, maintain large and expensive charities, or provide for a race of paupers. The laws against fraud and forgery, and false weights and measures, and the sanitary system, were far ahead of the age, and many of their provisions are to be found in the statute law of this country.

Digitized by Google

The Mosaic law was not unmindful of the reciprocal obligations and duties growing out of the social relation. The duty of the parent to support and educate the child was strictly enjoined. Ignorance was regarded as a sin. In the jurisprudence of this country we have imported a doctrine taken from the Roman law: "*Ignorantia legis neminem excusat.*" It will not do, therefore, to plead, as an excuse for the violation of a law, ignorance of its provisions. Among the Israelites, the same doctrine prevailed; but, wiser than their descendants, they laid a good foundation upon which to support this maxim. Once in every seven years, the Levites were compelled to read the whole law before the people, and every child more than six years of age was obliged to attend the schools, unless privately taught at home. He was to be instructed in the law; and, therefore, to be a good Israelite in those days was to be a good lawyer. In return for the parental care and affection, disobedience on the part of the child was recognized and punished severely by the law; but the father and mother had to join in the accusation before the civil law would interfere, this provision being necessary among a people with whom polygamy was a practice.

The marriage relation was governed by rules and regulations, which, judged from a standard of morality, have met with little if any improvement among the modern nations. Divorce was allowed, but not encouraged. Rabbi Eleazer said: "The altar weeps when a man divorces his wife." Polygamy, it is true, was permitted; but it was hedged in and guarded by such wise rules that it never became the national disgrace among the Hebrews that it has become to America. Each wife was entitled to her full conjugal rights. It must be borne in mind, that, before the enactment of the Jewish law, the Israelites, who had dwelt among the Egyptians for so many years, had naturally acquired many of their habits and customs. It would have been not only unwise, but almost impossible, to have undertaken to uproot and efface all these habits and customs at once. The change, to be permanent, must be gradual and progressive. The wisest

Digitized by Google

and most successful legislator the world has ever seen—Moses,—foresaw this, and, when an evil was too deep-rooted to admit of its entire eradication, he endeavored to modify and so control it as to gradually overcome it.

The "*lex talionis*," or the doctrine of "an eye for an eye and a tooth for a tooth," has been often asserted by the enemies of our race to be the very foundation of the Jewish legal system. No statement is more unjust. In Eastern countries, the most popular mode of punishing one's enemy was to mutilate or disfigure him in such way that he would carry the marks of the injury forever thereafter upon his person. Moses found this practice existing among the Jews, and it was only for the purpose of overcoming it that he adopted the "*lex talionis*," which was simply a law by which a person inflicting such an injury was compelled to suffer the same disfigurement as a punishment for his act. The "*lex talionis*" was, therefore, adopted in the interests of humanity and civilization. The same law is to be found among the Greeks and other ancient nations. It is doubtful whether the "*lex talionis*" was ever applied according to its letter, while it is certain that before the Talmudic period it had wholly disappeared from the legal code of the Jews. The humanity of the Hebrew law is again to be seen in the provisions respecting usury. The loan of money at interest between Israelites was strictly prohibited. The difficulties into which Rome and Athens were plunged by the exactions of the money-lender upon the poor and needy were never experienced by the Jewish State.

DANIEL P. HAYS.

(*To be continued.*)

Digitized by Google

ENCOURAGE THE PIONEERS.*

WHATEVER may be said for or against Sericulture, or raising of silk, in our country, one thing has been proved within the last five years beyond the shadow of a doubt. The climate of the United States is suitable throughout an immense extent of territory for the industry. This was supposed to be the fact, because in times long past the experiments made resulted satisfactorily, so far as the habit and progress of the worms were concerned, but the work which has been done in the last five years has a value which will not be fully appreciated for a long time to come. Thousands of persons have tried to raise silk-worms, and have succeeded.

Forty years ago thousands of people speculated in mulberry trees in a very absurd manner, and made a bad affair of it. Forty years ago there was an excitement, a craze, a struggle to gain large sums of money through the temporary demand for a certain plant. For the last four years there has been nothing of the kind, or if there has been a desire to sell plants and silk-worm eggs, this desire has been entirely subordinate to the purpose of introducing Sericulture—not as a speculative affair leading to great fortune, but as a staple, homely, moderately profitable resource for the families of the land. No criticism would be fair nor honest which did not clearly distinguish and fully appreciate the radical difference between the *Morus Multicaulis* mania and the efforts which have been made during the last few years.

Nobody will deny that there are yet serious obstacles to overcome; nobody will question for an instant that some time must elapse before the industry can be put upon the same

* This new field of industry—the raising of silk, which has so enormously enriched France and Italy, is destined at an early day to become a great source of wealth to the United States. We now import over 70,000,000 dollars' worth of raw silk from foreign countries which could just as well be produced in this country and give employment to hundreds of thousands of women and children and old people. Certain sections of the great West and of the South are especially adapted in climate, soil and the facile growth of the mulberry leaf, the essential food of the silk-worm, for the cultivation of silk. The expense of raising is trifling and the time, six weeks of each year, at the dismal of hundreds of thousands. Now that by the invention of automatic reeling the competition of the old world can be met and a better silk produced than by hand reel, there is no reason why this manufacture should not become among the most productive and valuable in America. Our Hebrew immigrants could easily learn and profit largely by this new industry. We shall have something more to say on this subject later. ED. MENORAH.

Digitized by Google

solid foundation as that upon which it rests in countries where it has been carried on for hundreds of years; and still not even the most timid and conservative of mortals, nor the most prejudiced and determined of the enemies of American Sericulture can deny that sound, substantial and telling advances have been made since 1879. There has been much more of a battle than the public in general is aware of; there have been hundreds, perhaps thousands of cases, in which experimenters have done good and valuable work in proving the feasibility of Sericulture in America, and have been for the moment disappointed in their expectations of receiving immediate profit, because of the lack of organization and development which still exists.

In common with all who are familiar with the subject, I hope and believe that these pioneers will reap their due reward in time, but there must be many among them to whom the question of time is important. They have already done good work; they have accomplished a great result by conducting what has been in effect a great national experiment; they have conducted it at their own expense; they have been successful, and they have in very truth furnished to the country knowledge of its wealth and power in a new direction. They have thus really added to the common wealth as truly as though they had built high roads, settled lands or discovered mines of gold or precious metals. But in the very nature of the thing the result of their work is common property, and sooner or later it will be seen that these experimenters have been public benefactors.

They should not be neglected, they should not be cheated out of a fair recompense, as the first projectors of great and beneficent enterprises often are.

Many of them are women—women who have raised a few pounds of cocoons each, who have carefully observed while they labored, and whose work has in the aggregate been a large part of the progress which has been made.

Now, every battle has its victims, every cause its martyrs, and every development of commerce and industry is, as a rule, attended by the wreck of the fortunes and disappoint-

Digitized by Google

ment of the hopes of a greater or less proportion of those who engaged in it; this, perhaps, is inevitable for Sericulture also; but a great waste will be made, and a great injustice done, if it be taken for granted that those who have been the foremost and most energetic in the work should be allowed to become discouraged at the moment when final success draws near.

These pioneers, these people who have been energetic and hopeful and industrious, who have shown beyond all question that nothing but further organization and experience are required, not only have claims upon all who are interested in the development of the country, but they have as well a store of information and experience which, speaking in the most cold-blooded manner, it would be a pity not to utilize at once. As a rule, it may be taken for granted that anyone who has sufficiently studied the subject, and has shown sufficient energy and enterprise to begin Sericulture in a neighborhood new to it, is a person who with proper encouragement is fitted to be a valuable teacher and counsellor for others.

There are hundreds upon hundreds of villages and towns in the country, in each of which a few worms have been raised by one or more individuals; now, in each of these towns and villages the expense which would be necessary to enable these people to continue their work and to instruct others, would be utterly insignificant; but the result, as a whole, would be of great importance. A little effort now to consolidate, organize and impart to others the experience already gained would in all probability be worth many years of isolated, haphazard, badly directed work.

Nothing would be easier in even the smallest community than to say to a worker in Sericulture, if the community is fortunate enough to possess one: "We will club our resources for the present; we will furnish you whatever is necessary, and if you teach us what you have found out upon the subject, we will recognize the value of your experience and will see that during next year's season your time spent in teaching shall be remunerated." For each teacher it would be an affair of a few dollars; for each contributor an

Digitized by Google

affair of a few cents or a few dimes; for each town or village it would be the formation of a nucleus, a rapid spreading of information, an immense economy of effort, a just recognition of the claims of those who have already performed good service and in every way a substantial, tangible, solid advance.

In making this suggestion I do not intend to claim for the first workers in Sericulture anything of the nature of a subsidy, or to make anything resembling an appeal to charitable or even unusually kindly sentiment in their behalf.

The work is to be done; it will be done; it is being done; nothing will stop it; the question is to work to the best advantage to produce the results with the least waste of effort, and in the shortest space of time.

I would suggest that to make use of experience already gained is always good policy; and to unite and organize endeavor is the secret of prompt success.

Let every one who has learned to raise silk-worms teach three others, and in a few years—a very few years—we shall possess this knowledge in every hamlet from one end of the land to the other. FANNIE PEIXOTTO BLOOM.

CONSOLIDATION OF JEWISH ORDERS

II.

IN my previous article I made some suggestions relative to the preliminary movements necessary to be taken if we are ever to reach practical results touching the consolidation of the various Jewish Orders. Firstly, the admission must be made that it is right and proper to merge all such associations into a common bond of Brotherhood, under the password "*I am a Hebrew.*"

It will take much labor and time before the masses will be brought to the standard prerequisite to the union of forces, but in due course they will, it is to be hoped, be educated to the point.

It is no new question that is agitated. Those members

Digitized by Google

who have frequented grand bodies know how earnestly it has been debated wherever broached. In the message of the President of District Grand Lodge No. 3, K. S. B., for 1881–82, the attention of that District was officially called to the necessity of amalgamation, and that body

"Resolved, Than the views expressed are highly appreciated by this Grand Lodge, and our co-operation with the various Jewish bodies is hereby approved." (See proceedings, pp. 11-38.)

At the same meeting, a communication was read from District Grand Lodge No. 6, I. O. B. B., upon the same subject, asking concurrent action. Since then the question has been actively canvassed in the press and in lodges.

In my last article I placed side by side the preambles of the K. S. B. and I. O. B. B. which should be studied, and it will be apparent that they are both of the same character, with a distinction without a difference. Now, let us look at a further parallelism in reference to visiting brethren.

K. S. B.	I. O. B. B.
Every member shall have the right to visit any other lodge than his own in his district by proving membership and by passing a satisfactory examination.	Every member shall have the right to visit any lodge of the Order if he can give satisfactory proof of his membership.

Then follow the provisions in reference to visiting-cards with which all are familiar.

K. S. B.	I. O. B. B.
Every member shall receive from any lodge in the Order all the help and practical assistance to which the laws of his lodge entitle him, and the lodge of which he is a member, on receiving due notice thereof, shall refund to the sister lodge all expenses so incurred.	Every member shall receive from any lodge in the Order all the help and practical assistance to which the laws of the lodge entitle him; and the lodge of which he is a member, on receiving due notice thereof, shall refund to the sister lodge all expenses so incurred.

Now, in order to carry out the principle that "all Israel are brothers," suppose the lodges of the various orders agree, with the consent of their grand bodies, that they will honor the card or certificate of any member of any of the recognized

Digitized by Google

Jewish Orders, and will admit as a visitor any such brother into each and all of the organizations, and will extend to him the aid and assistance, financially and otherwise, to which he is entitled by the laws of the lodge from which he hails. Let consolidation commence in this way by holding out the right hand of fellowship to any member of any Order which will make corresponding courtesies their rule of action. Unless the movements on foot will stand this test, there can be little consistency in the agitation. LEWIS ABRAHAM.

JEWESS

My dark browed daughter of the Sun,
Dear Bedouin of the desert sands,
Sad daughter of the ravished lands,
Of savage Sinai, Babylon—
O, Egypt-eyed, thou art to me
A God-encompassed mystery.

I see sad Hagar in thy eyes,
The obelisks, the pyramids,
Lie hid beneath thy drooping lids,
The tawny Nile of Moses lies
Portrayed in thy strange people's force,
And solemn mystery of source.

The black abundance of thy hair
Falls like some sad twilight of June
Above the dying afternoon,
And mourns thy people's mute despair.
The large solemnity of night,
O Israel, is in thy sight.

Then come where stars of freedom spill
Their splendor, Jewess. In this land,
The same broad hollow of God's hand
That held you ever, outholds still.
And whether you be right or nay,
'Tis God's, not Russia's here to say.

JOAQUIN MILLER.

Digitized by Google

Literature, Art and Science

Visitors to the Louvre of late may have noticed a remarkable little marble statue, "A Young Athenian girl." The story of the discovery and acquisition told by *Le Temps*, forms a curious page in the history of antiquities.

A peasant of Patissia while digging in the fields, suddenly came across an old statue. Knowing that the Greek law forbids the exportation of ancient objects of art found in the country and that foreign amateurs are always ready to pay a high price for them, he at once took it home and hid it under a heap of fagots He then went to the French Ambassador, who was well known for his love of such relics, and offered it to him for 12,000f. The Ambassador repaired secretly to the peasant's dwelling to examine it, and found it was a bona fide gem of the fourth century. He telegraphed the discovery to the French Minister of Fine Arts, who authorized him to conclude the bargain. But there was a serious difficulty to overcome, and that was to get it out of the country without being detected by the customs authorities. After some reflection the Ambassador instructed the peasant how to set to work. He was to hide the statue in a cartload of vegetables, drive down to a creek on the seashore, where he would find a boat from the French sloop stationed at the Piræus waiting to receive him. The job was performed successfully. The statue, in the midst of the vegetables, was shipped on the boat, and the 12,000f. was handed to the peasant by the Captain as he left the shore. On the arrival of the statue in Paris it was placed in the Louvre, not far from the famous Venus of Milo, while its discoverer, the poor Greek peasant, is now leading the life of a small gentleman farmer on the proceeds.

The following are the lecturers and their subjects before the Y. M. H. A. for the month of January: January 5th.—At Temple Beth-El, (in course of lectures on Jewish Topics) Hon. B. F. Peixotto: "What shall we do with our Immigrants?" Jan. 10th.—At Temple Beth-El (in course of lectures on Judaism), Rev. Dr. H. S. Jacobs: "What it means to be a Jew." Jan. 17th.—At New Vienna Hall, Dr. Richard Gottheil: "A Pilgrimage to a Neglected Shrine," to be followed by music and readings. Jan. 24th.—At Temple Beth-El (in course of lectures on Judaism), Rev. Dr. Alexander Kohut: "The Genius of the Talmud."

Notes and Queries, published by S. C. and L. M. Gould, Manchester, N. H., at One Dollar per annum, is warmly recommended to students and scholars who love the *bizarre* in History, Folk-Lore, Mathematics, Mysticism, Art and Science. We are pleased to have this valuable periodical on our exchange list.

Digitized by Google

Affairs of the Order

Death of Reuben M. Rodacher.—One by one the venerable founders of the Order B'nē B'rith are passing away and leaving the work which they in their day and generation so valiantly performed to the younger generation, who have sprung up to take their place. We are called to mourn the loss of Brother Reuben M. Rodacher, who, full of years, passed from his long earthly pilgrimage on the 2d ult.

Born in Hesse Darmstadt in 1805, while yet an infant of a year old, he was taken by his parents to Altenstein, Bavaria, where he continued to reside until his 31st year, when he emigrated to the United States, coming hither on the same ship which bore two other founders of the Order, the late Henry Kling and Isaac Dittenhoefer. the latter, father of Judge Dittenhoefer.

It was in the spring of 1836 that this trio, each of whom afterwards became pillars of the Order, landed upon our shores.

Brother Rodacher at once applied himself to business and continued actively in trade until 1860, when he retired in comparatively comfortable circumstances. His store from the first was at 566 Grand Street, which thoroughfare at that early day was the same busy hive as it still continues to be. Not a few Wall and Broad Street firms of to-day commenced their careers upon this avenue. His good wife, Caroline, was the sister of Isaac Rosenbourgh, another founder of the Order, and who still survives.

In 1840 Bro. Rodacher joined old Independent Lodge No. 7 of the F. and A. M., and in the year 1849, in conjunction with Messrs. Lewis Parketton, Isaac Pangborn, Edmond B. Hayes, Isaac Rosenbourgh and others received a charter for Silentia Lodge No. 198 of the same "ancient and honorahle fraternity." He was the first and only treasurer of this Lodge for thirty-six successive years, and at the time of his death was the oldest treasurer in the Masonic Order in the United States.

Bro. Rodacher was also a member of United Brothers' Lodge No. 52 of the Odd Fellows for forty.five years.

He was, besides, an active member of a number of other charitable societies, and for forty years President of the Aguidas Ascheim Benevolent Society.

In the year 1843, when the first Lodge (New York Lodge No. 1) of the B'nē B'rith was instituted, he was one of the foremost to lend his aid, uniting with Brother Henry Jones and others in bringing our great philanthropic body into being. His devotion to the Order never abated; with him there never was a question as to "expediency" or "profit." His love of charitable works and how to benefit and ameliorate his fellow man was his first and his only thought. His delight was in "good deeds well performed." A truly religious man, he believed in upholding the pure and sound doctrines of Judaism as the basis of all moral and intellectual progress.

Without the benefit of a collegiate or higher educat on, h

Digitized by Google

appreciated his obligations in this respect as well, if not better, than many of those who have had all the advantages which those endowments are supposed to confer. His heart was "open as the day to melting charity," and his long life worthily illustrated the character of a good and true man. Three of his children survive to mourn the loss of the worthy octogenarian. Mrs. A. J. Heineman, of Mansfield, Ohio; Jacob Rodecker, of Fort Scott, Kansas and Emanuel Rodecker of this city, at whose residence he departed this life. Worthy children of a noble sire, they have our tenderest sympathies in their affliction.

In his death, at the ripe age of 82, he has left behind another example for the youth of Israel and mankind, of a life gentle and kind, precious in good deeds and noble actions.

We have to mourn his loss as a brother in a double sense—Mason and Ben B'rith—and this tribute to his memory is but a feeble expression of appreciation of his work in both of these great societies, for the elevation and exaltation of our common manhood.

An Important Decision.—The Loyal Minority of the Expelled Baltimore B. B. Lodge to Retain the Lodge Funds.—Judge Phelps, of the Baltimore City Circuit Court, has handed down a decision in the cases of Goodman and others against Jedidjah Lodge, and Castleberg and others against Hasmonea Lodge, I. O. B. B., in which he decides that only the present members of those lodges have any right to the lodge funds which have so long been in dispute.

The Court says: "This case is a sequel to the unhappy litigation which resulted in a decision of the Court of Appeals in the case which finally assumed the name of District Grand Lodge, *vs.* Jedidjah Lodge of the Independent Order B'ne B'rith. The Court below dismissed the bill in that case without prejudice, for reasons not touching the disputed question of title to the funds in controversy. The decree in that shape was affirmed by the Court of Appeals, there being no appeal by the defendants. The Court of Appeals, however, went further than this Court, and decided the case upon its merits. They decided that, notwithstanding the forfeiture of the lodge's conventional charter, the lodge was entitled to hold the funds under its State charter, as against the claim of the District Grand Lodge. Although the same constitution and by-laws were relied on in that suit as in this, the Court decided (expressly without reference to the doctrine that equity never aids in enforcing a forfeiture) that the lodge held its funds entirely unaffected by the forfeiture." The present plaintiffs were formerly members of the lodge, who, being in a minority on the question in a dispute with the District Grand Lodge, seceded from Jedidjah Lodge and formed a new lodge of their own, and co-operated with the District Grand Lodge in its litigation with Jedidjah Lodge. They seek to avoid the effect of the decision referred to, upon the theory that the Court of Appeals meant only to decide as to the bare legal title, or mere right of custody of the funds. But there is nothing in the language of the Cour

Digitized by Google

that points to any such intended distinction. The Court was dealing with the funds as a court of equity, having full jurisdiction over the equitable title, and by reference to the narrative part of the opinion, it will be seen that the attention of the Court was particularly directed to the bonds which were "to invest the equitable title to the bonds in the Grand Lodge." This was, in fact, the gist of the whole controversy from beginning to end.

It does not seem a reasonable implication that the Court intended to avoid this vital question, when, as has been already seen, the express language covers the entire beneficial, as well as legal interest. Even if none of the present plaintiffs were individually parties to the former suit—as many of them were—they were all effectually represented by the District Grand Lodge, and therefore concluded by the decision; and if not concluded by the decision as *res adjudicata*, this Court, at all events, is bound by it as a decision in point. But even granting that the adjudication in the former suit is neither an estoppel nor a decision in point, other difficulties are encountered fatal to the plaintiffs' case. As I understand the contention of the plaintiffs, this is not a bill for the dissolution, nor, strictly speaking, for the winding up of the corporation, but is a bill filed by certain corporators for the withdrawal of their subscriptions, upon the principle that where a corporation has been created to hold funds contributed by the corporators for certain objects and trusts which have become impossible of performance substantially in the mode contemplated by the donors, there is a resulting trust to the several corporators which a court of equity will enforce by appropriate remedies. This corporation was expressly chartered as a lodge of a general Order, the constitution and by-laws of which distinctly show that membership of the lodge was designed to confer special privileges, pecuniary and other, as members of the Order. A separation having occurred, 'without the fault of the plaintiffs,' between the lodge and the Order, the defendants, the majority of the lodge, are content to renounce for themselves those special privileges; but the plaintiffs, the minority, preferring to retain them, complain that the isolation of the lodge has altogether deprived them, of those benefits for which they stipulated when they put in their contributions, and they have, therefore, an equity to withdraw them. Such I understand to be in effect the position of the plaintiffs as taken in their bill and more fully explained in the argument.

"In the view I take of this case, it does not become necessary to decide upon the soundness of this principle, or the appropriateness of its application." Respecting the forfeiture of the character of the lodge, the Court says: "The means by which the forfeiture was accomplished, in the outset—an unwarranted use or abuse of the extraordinary process of the Court, followed up outside of the Court by a manifest violation of the most elementary principles of justice—that transaction was throughout so palpably inequitable that no Court of equity—and especially this Court, whose most delicate and transcendent functions were perverted—can allow any rights to be de-

Digitized by Google

duced from it by any of the parties who were, directly or indirectly, responsible therefor. In the present bill it is to be noted that the plaintiffs made common cause. It is claimed in behalf of all alike that they were not in fault in the matter in question. Notwithstanding this averment, the fact is that many of them appear as plaintiffs to the original bill, upon the unfounded allegations of which the funds of the lodge were unjustly taken from it and placed in the hands of a receiver. Others of them appear as consenting defendants to the supplemental bill filed after its forfeiture and claiming its fruits; and all of them, pending the controversy, seceded from the lodge, and organized a new one under the auspices of the District Grand Lodge—thus recognizing the acts and adopting the cause of their associates and of the District Grand Lodge, and making that cause their own by using it as the foundation of the new lodge structure. Apart, therefore, from the conclusive effect of the decision in the former suit, this bill must be dismissed—first, because the plaintiffs are not before the Court with clean hands; second, because they fail to show a subsisting interest in the subject-matter of this suit. They were formerly members of the lodge, but the proofs show that they seceded and formed a lodge of their own. They have, therefore, no more concern with the funds they left behind them than any other ex-members whose connection may have terminated by their resignation. In accordance with the opinion, both bills are dismissed."

The funds in question, in both lodges, aggregate about $20,000.

Pacific Coast Lodges.—The *San Francisco Times*, which is a bright and sparkling weekly, giving its readers something more than advertisements for perusal, has recently contained a well-written article on the Endowment subject, and editorially takes honest ground in behalf of the general law on this vexed subject passed by the Constitution Grand Lodge at the last National Assembly of the Order.

Private letters also confirm us in the belief that the opponents of the measure have lost the confidence they first inspired by a violent advocacy of rebellion. Recent experience of the District in the large percentage of deaths is another factor which must prove the wisdom of the new law, while the bankruptcy and dissolution of bogus Life and Accident Companies should serve as a warning. In plain words, at the present rate of taxation and death-rate of members, and the fact that all sensible and prudent men will not pay higher assessment, the $2,000 endowment cannot long be maintained, and sooner or later, disaster and dishonor must ensue

Neither loud denunciation, abusive epithets nor menace of resistance, should have weight with our brave and honest-hearted bre hren of the Pacific. They have to deal in this instance with a plain business question, founded upon sound economic principles and confirmed by experience.

We feel firmly persuaded they will meet the question with that sagacity and good common sense which, in such matters, is characteristic of our people the world over.

Digitized by Google

Monthly Record

Jewish Immigrants' Association of Philadelphia.—We are indebted to Bro. Alfred T. Jones, the able and distinguished President for a copy of the second annual report of this body for the past year.

Space will not permit more than a brief *résumé* but we shall refer again to the subject in a future number.

We picture to ourselves the homeless, helpless refugee, who driven from "his" country by legal and social persecutions, dragged along thousands of miles, crossed the great ocean, and finally came to our shores in search of a safe and free home—we picture him mute and deaf in his new country, and then we are able to appreciate the great humanitarian work that is so plainly expressed in the few sentences of the eloquent report of the President:

"We have assisted immigrants to reach other points to which they were destined, and have provided them with food on their route.

"We have lodged and fed those who remained in the city until their friends were found *or work obtained* for them or decent homes secured.

"We have hunted up lost baggage, *rescued some from thieves who frequent* the wharves. We have procured tickets for *distant cities.* We have notified friends of the arrival of immigrants who had claims upon their care and attention.

We have guarded their *rights* so that they would not suffer through ignorance or the bad advice or evil designs of others."

The facts that follow in the report illustrate that the above had been realized to the best of the abilities of an organization which is as yet but in its infancy disposing of extremely limited resources. 603 Jewish immigrants have been well taken care of in the city of Philadelphia; 47 railroad tickets have been bought and otherwise obtained to different cities in the United States, 704 lodgings and 2080 meals have been furnished at the house of the Association; 91 homeless and helpless immigrants were placed in safe hands for future protection and assistance of relatives and friends in almost as many different cities.

The excellent efforts of the Association in its endeavors to spread the immigrants throughout the country are to be recognized and admired in the result of the small percentage of only 26 per cent having remained in the city of Philadelphia, while the statistics of the U. H. C. of our metropolis show a percentage of eighty having remained in our ghettos.

As we stated above, we must regret that space prevents us from doing greater justice to the noble work that is being accomplished by our brethren of Philadelphia.

Go on with your work, true friends of mankind, humanity will remember each and every step that you are making towards ameliorating the condition of the individual, who in turn becoming a member of the great social circle will more keenly appreciate and fulfil its duties and obligations.

Digitized by Google

The New Home for Widows and Orphans at New Orleans.—The laying of the corner stone of the new *Home* for Widows and Orphans in the Crescent City was the occasion of a large assemblage and of the delivery of some admirable and eloquent addresses, not only by Israelites, but by those of other faiths.

The members of the B'nē B'rīth of the Southern District No. VII. of the Order, not only have taken a deep interest but have become directly identified with this noble Institution whose good and thoroughly practical and humane work the Editor of the MENORAH (though it is well on to ten years since he visited the establishment) can bear witness, not only from personal knowledge but the testimony of the leading members of the Fraternity throughout the South.

We regret that we have not space in our present issue to present even a brief account of the ceremonies, which are given in detail in the *Picayune* (which some thoughtful friend has sent us), and which cover some eight or ten columns of that still bright journal, over whose destinies once presided George W. Kendall, but we shall present in the February MENORAH some of the remarkable speeches delivered as they so truly represent the exalted principles and purposes of our Brotherhood, and deserve to be preserved in the form of a volume such as the MENORAH makes every six months.

For the moment we can but extend our heartfelt congratulations to the Israelites of the South in general and of New Orleans in particular, for the splendid manner in which they have acted upon this interesting occasion and if alive we hope to be present at the dedication of the new edifice, which we feel assured will be at once an ornament to the city and a jewel of sparkling lustre in the crown of the good works of our Brethren of the South.

The Montefiore Fair has been the event of the month opening Dec. 6th, and closing on the 20th with a sale of all the remaining undisposed articles. The gross receipts were $175,080.45.

This munificent sum will enable the Society to make the Home unsectarian as to the reception of inmates as far as the capacity of the structure will admit, preference naturally being given to those of Hebrew faith.

In spite of the bad location, the limited space and inclement weather which prevailed for several nights, the Fair was unquestionably the greatest success of its kind ever held in this city.

The Jewish press has given such voluminous as well as graphic accounts of all its features even to the most minute personal details that nothing remains for the Monthly Record of the MENORAH but to congratulate the ladies and gentlemen of the different committees upon their ever-to-be-remembered labors. The devotion and self-sacrifice exhibited was beautiful to behold, and while distinctions are invidious, where every one vied with the other, we cannot but pay special tribute to Mr. Jacob H. Schiff, the President of the Montefiore Home for the sound judgment, good tact and masterly administrative talent exhibited from first to last. Mr. Schiff was like-

Digitized by Google

wise fortunate in having as aides-de-camp some of the ablest gentlemen of the community, especially in the persons of Messrs. Hyman Blum, Isaac Wallach, Arnold W. Brunner, Louis Gans, Adolphus S. Solomons, Isidor Straus and S. M. Schafer who were indefatigable in their efforts to second their chief. The Art collection was undeniably the most remarkable feature of the Fair, reflecting the highest credit upon the special committee and the chairman, Mr. Leo Reiss.

Hebrew Free School Association.—The rooms of the Hebrew Free School Association were crowded on the occasion of its annual meeting, Sunday 19th ult. The society maintains Hebrew classes for religious instruction, industrial branches for the advancement of manual training, and kindergartens where the long tried Froebel system has been adopted and is carefully followed. There is also a "Ladies' Hebrew Seminary" for advanced studies, the members of which are nearly all graduates of the Normal College. The attendance numbered 2,698 during the past year, as against 2,046 during 1885. The expenditure per capita varied from $2.25 in the Hebrew classes to $26.50 in the kindergartens. In the latter over 25,000 meals, besides hundreds of garments and shoes were distributed. All pupils excepting those of the kindergartens are required to attend the public schools of the city. There exists among the pupils of the schools a society named "Our Own," which devotes its revenues, derived from weekly contributions of one cent from each member, to providing entertainments and excursions for their own enjoyment, and clothing and shoes for those of the members who are needy. A new departure was instituted this year by the society, in electing two ladies into the directory, Mrs. B. Froelich and Miss Julia Richman. The following officers were elected for the ensuing year: Ex-Judge M. S. Isaacs, President; Uriah Herrmann, Vice-President; N. Cowen, Treasurer; Dr. Horatio Gomez, Samuel Greenbaum, Uriah Herrmann, Isaac Meinhard, Henry S. May, Mrs. B. Froelich and Miss Julia Richman, Trustees.

The Brotherhood Zion of Roumania, will hold its annual general assembly at Bucharest on the 6th inst., when the subject of petitioning the Constitution Grand Lodge for the Society to become according to the requirements of our laws a part of the Independent Order B'nē B'rīth will be definitely acted upon.

Virtually the Order of Zion is already a branch of our Fraternity. Its constitution, laws, and ritual were modelled after it, and its objects and works have been almost identical. The Society is composed of the very flower of the Israelites of the young kingdom, having among its foremost leaders such men as Drs. Adolph Stern, Moritz Beck, Blumenfield, and Lippe; Joseph B. Brociner, Samuel Goldenthal, Maurice Hornstein, D. Gabriel, B. Vermont, and others distin-

Digitized by Google

guished in law, medicine, literature, finance, etc. The Brotherhood of Zion has, during its thirteen years or more of existence, exercised a vast amount of good; especially was this true in its earliest years, in uniting and fraternizing the heterogeneous elements composing the Hebrew population of Wallachia and Moldavia. It has manfully struggled for years to maintain the cause of enlightenment, and its charitable work has been effective. It asks from co-religionists abroad no other assistance than moral support and sympathy. Made a part of our powerful Fraternity, the Bundes Zion would receive the same happy inspiration and encouragement which has marked the still briefer existence of our German Lodges.

Mount Sinai Hospital.—The annual meeting of this institution was held on Sunday, 26th of December. The report of the President and Board of Directors showed that during the year Mount Sinai Hospital had treated 2,269 patients, notwithstanding the fact that two wards were closed for several months while necessary improvements were being made. The limit of the hospital's capacity had been reached, and many applied for whom there was no room. This fact gave rise to the creation of a new department, organized last May, and known as the District Corps of Physicians. Districts have been mapped out and intrusted to the charge of able physicians, who have volunteered their services for the work. To these are referred applicants who are unable to provide themselves with medical aid and for whom there is no room in the hospital. They are treated in their own homes until provision can be made for them. In addition to the physician a nurse from the Mount Sinai Training School, gratuitously furnished by that institution, attends the outdoor patients. The finances of the hospital, says the report, have not visibly increased. The expenditures have been nearly as great as its income. Included in the receipts are bequests and legacies amounting to $16,237.64, one for $10,000 from the Burr estate. The total receipts during the past year were $89,413.66, of which $44,557.50 was received from members and patrons, $10,224.56 from "pay patients" $15,013.80 from Hospital Saturday and Sunday Association, and $1,575.50 from donations. The entire disbursements for the year were $82.224.20, including $7,133.70 for improvements and $4,230.57 for repairs. The report says that the hospiial is economically managed as compared with similar institutions, and the expenses cannot be reduced without a reduction of the work. "There is then but one thing to be done—the income must be increased, and we therefcre earnestly appeal to one and all to aid us in that direction." The assets of the hospital are $180,-356.60, as compared with $173,167.15 of last year. The dispensary exhibits increased work in all its departments. One hundred and ninety-two new patrons and members were enrolled during the past year, and one hundred and sixty-nine annual contributors were added to the list. The membership at present numbers 3,463, as against 3,437 last year. The report welcomes the Montefiore Home "into the constellation of our cosmopolitan charities." The entire number of applicants for

Digitized by Google

admission to Mount Sinai Hospital during the past year was 4,243, of whom 2 098 were admitted. Of those treated 1,193 were discharged cured, 572 improved, and 111 not improved. There were 191 deaths.

The following officers were re-elected for the next year: Hyman Blum, Esq., President; Isaac Wallach, Esq., Vice-President; and Samuel M. Schafer, Esq., Treasurer. Directors: Solomon Loeb, William Vogel, Martin S. Fechheimer, DeWitt J. Seligman, Adolph Herman, Elias Asiel. Mr. Jacob H. Schiff, President of the Montefiore Home, in moving a vote of thanks to the officers announced that the Home would be made an unsectarian institution at the next meeting of the society, an announcement which was received with applause.

Jewish Theological Seminary of New York.—An appeal in behalf of this proposed institution has been issued signed by Hon. Joseph Blumenthal, President, and Jos. E. Newburger, Secretary. "The urgent necessity for the establishment of a seat of learning in New York City, where Jewish rabbis and teachers may be trained in the spirit of historical Judaism, in the light of the best educational methods, and in sympathy with American institutions," is warmly pleaded.

As we were earnestly in favor of the foundation of the Hebrew Union College at Cincinnati, and aided the object both morally and materially and believe that it has accomplished in no light measure the purposes of its creation, and that it is destined to become a still greater factor in fitting its students for the pulpit, so we extend the warmest sympathy to this new effort in behalf of a Jewish Theological Seminary.

It is high time the Jews of New York and of the Eastern States established such an institution which should in no wise conflict with the Western College except in rivalling its grade of scholarships.

New Synagogue in Harlem.—This great suburb of New York, which possesses a large Hebrew population, and has now only the little place of worship on 116th Street, is soon to have a commodious synagogue. The sum of $20,000 has already been subscribed, and a Purim Festival is to be held on the 12th of March in aid of the building fund. The "Hand-in-Hand" congregation have generously come forward, sold their little edifice, and will unite their members and funds with the new congregation, which will include all the principal Israelites of this growing section of the city. An appeal for assistance will no doubt be generously responded to by Israelites in general, and ample provision thus made for the spiritual needs of our brethren, and what is still more necessary, the religious instruction of their children.

The Standard Association of Washington.—This new literary society at the National Capital held its inaugural exercises on the 26th ult. Addresses were made by Hon. Z. B. Vance of N. C., Rev.

Digitized by Google

Dr. Benjamin Szold of Baltimore, and others. It was a brilliant affair. A course of lectures will be given during the winter and spring, the speakers being Hon. Adolph L. Sanger, Rev. L. Stern, Mrs. Sara A. Spencer, Hon. Benjamin F. Peixotto, Hon. Simon Wolf and Rev. Dr. David Philipsohn. A Children's Purim Masquerade will be held March 9th and a literary, musical and dramatic entertainment, March 10th.

District Grand Lodge No. 1, will hold its annual meeting on the 30th inst., when the usual reports will be presented and election of officers take place.

Several important questions are likely to come up, such as the purchase of a site and the erection of a B. B. Hall, and the consolidation of the Maimonides Library Association, with the Aguilar Free Library. Both subjects are worthy the serious attention of the General Assembly, and both should be resolved in the affirmative.

In the death, after a lingering illness, of Rev. Bro. Dr. Samson Falk, of Buffalo, we have to mourn the loss of a highly-esteemed and devoted friend, a true Israelite, an earnest and faithful spiritual guide of the community over whose interests he so long and zealously presided. In Buffalo he will be deeply lamented not only as a Rabbi, but as a man who was universally beloved and respected.

Open Letters

SHALL THE ORPHAN ASYLUM BE SOLD?

This question has arisen in New York, and is being seriously considered by sound thinkers for the welfare of the children who, deprived of parental care, have been generously, not to say luxuriously, provided for in the superb structure in what is fast becoming the heart of the great city.

Twenty years from now or before the new century is ten years old, Yonkers will be a part of America's commercial metropolis. The present site, with the splendid edifice which adorns it, cost something over 600,000 Dollars.

It shelters something less than 400 children, orphan and half orphan, per year.

When these little waifs get to be *Bar Mitzvah*, or have been confirmed, they are put out, the girls in families, the boys at trades or in shops.

Digitized by Google

As to the girls, there possibly is not much to be said at this writing. But as to the boys, it is high time we took their case in hand.

Do we want any more Jewish traders? Do we not want thousands and hundreds of thousands more Jewish farmers? To the first interrogatory the answer is No!

To the second there is a universal cry of YES.

How shall we provide them? How rather, make them? Sell the present luxurious Orphan Home, and buy a farm in Westchester or some other county with some 100 or 200 acres of land, put up a plain, substantial edifice and teach the boys agriculture.

In a few years we can then send to the West intelligent instructors who, becoming farmers themselves, shall help our brethren who are flocking in vast numbers from Europe to our shores.

In fact, 30,000 alone have arrived in New York since a year, and over 22,000 of these have remained in this city.

It is high time something practical was done to relieve the situation which will become more and more critical if our intelligent and wealthy citizens (those of our own faith), do not take this matter in hand.

A partial solution may be found in the question propounded at the beginning of this letter. Very truly,

VIGILANCE.

A TRIO OF PHILANTHROPISTS:—PEABODY, MONTEFIORE, CORCORAN.

Apropos of the late Great Fair, a correspondent from Washington relates an interview with the eminent philanthropist Corcoran which he had the other day, in which the generous patron of art who has given to the nation the magnificent Gallery opposite the White House, recalled his meeting in London with Sir Moses Montefiore, some thirty odd years ago.

"It was at the table of George Peabody," said Mr. Corcoran, "I first met Sir Moses. He was seated on the right and myself on the left hand of the great banker and our conversation was of the happiest, each giving his experiences of life and reminiscences of travel as well as of suffering humanity. Sir Moses charmed me by his graceful manner, his great delicacy of feeling and deep sympathy

Digitized by Google

with misery without regard to race or country. He had a peculiarly speaking eye which, while it sought to know the truth, was full of tender sympathy, moist with ready appreciation of a tale of wrong and quick with indignation. He was a remarkable man and I love to recall my memory of him."

Editor's Bureau

☞ As we have distinctly stated on the inside cover of THE MENORAH from its first issue, so we repeat here and in this place, that "we do not hold ourselves responsible for any views or opinions expressed in the communications of our correspondents," and we may add, that this applies equally to official as to other communications. The Editor, however, holds himself responsible—in every way known to gentlemen—for his own views and opinions, and will not shrink from maintaining and upholding them at all times and in all places.

United Hebrew Charities.—The twelfth annual report of this organization has attracted very wide interest both on the part of the press and the general public. In fact, it is probably owing to the extended notices and criticisms which have appeared in the daily and weekly journals—for the most part of a friendly character—that the attention of the general public has been directed to the important work already accomplished and the increasing burdens of the society. In examining the very able report, we are struck with the extent and variety of the labors performed both by the officers, the committees and the employes.

An extensive field of humane and charitable work has been covered, and with results fully commensurate with the resources, and we are probably justified in saying, even beyond the financial income of the society The total receipts from all sources during the year have amounted to $57.545.88, and the disbursements to $54,638.41, leaving a balance of only $2,907.71 in the treasury.

With this fifty odd thousand dollars a vast amount of work has been done—an amount of work, in fact, almost incredible, and which has gone far to mitigate not only want, misery and privation, but to inspire courage and self-reliance in procuring employment in the city, and in assisting immigrants to find homes in the West.

Digitized by Google

The Executive Committee, in their report, say that there has been a steady improvement in the condition of the poor, though "poverty in its worst phases still grasps thousands of the community, and the mind and purse of intelligent and liberal men and women are still required to devise and supply means for aiding the unfortunate. . . . A comparison with the reports of the previous year shows that the number of new applications for relief has diminished, that the recipients of regular monthly pensions have decreased; that there has been no increase in the number of helpless invalids. Even," the report continues, "with the vast immigration to our shores that, during the past twelve months, landed at this port over 27,000 Hebrews—steerage passengers—of whom nearly 80 per cent remained in New York to earn their livelihood as best they could—the moderate proportion of these immigrants that applied for aid at the society headquarters must certainly be satisfactory to people who feared that such wholesale emigration meant the immediate engrossing of charitable endeavors in behalf of our foreign brethren to the exclusion of home interests."

The report goes on to say: "We find the cause af this improvement, not alone in the nation's prosperity, which quickly employs honest labor at fair remuneration, and in the salutary administration of the law which forbids the landing of paupers, and has, therefore, warned European agencies against shifting upon these shores the unfortunate of other climes, but in the successful working of the industrial schools of the city, whereby so many families are being made self-supporting, and in the energetic operations of our employment branch, that has rescued so many of our young men from penury, and, perhaps, from crime."

We fear there is a little too much rose color in this view of the situation, and that the experience given has been limited to those only who have fallen directly under the observation of the society. It is a well-known fact, and it is frankly admitted by the report, that of the thousands who have landed on our shores, only a very small percentage have presented themselves at the society's office. The reasons given for this are hardly in keeping with a strict knowledge of the facts.

We make no reproach to the society when we say this, nor to its brave efforts for those who have been recipients of its assistance. But there are thousands of cases, and they are accumulating, and will still further accumulate with the coming year, of immigrants who have either never heard of the society, or, for various causes, shrink or are

Digitized by Google

afraid to make application at its portals. If this be true, and if it be a part of the society's work to look after the immigrant, then we think this branch of its labors must be enlarged and special funds devoted to carrying out its objects, with a view of meeting fully the necessities of the case. The strictly legitimate objects of its organization—the caring for the resident Hebrew poor and sick and suffering—must be continued, and with the advanced ideas, which are sound and practical, of making the poor in a measure, self-supporting, in contradistinction to the old eleemosynary system of doling out alms, the task of the society will, indeed, be lightened, and a certain fixed income must be the result.

The reception, treatment, and temporarily at least, providing for the emigrant calls for much broader and comprehensive measures than have hitherto been in practice. They cannot be refused admission to the country except on the plea or fact of their being paupers. Of the 27,348 who landed here during the year, only 27 were found to be such, and returned to Europe, and of the 45,883 who arrived in 1885 and 1886, probably (we have not the exact figures at hand) not more than 70 were re-shipped as paupers. If 80 per cent of all arrivals remain in the city, New York has acquired an increased Jewish population of over 36,000 in two years. What is the condition of this population?

It is not our purpose to answer this question at the present writing, but it shall receive early attention, and we hope to be able to suggest the means by which a large proportion of it, and of its immediate predecessors and of those yet to come, may be ameliorated, if not so greatly improved as to prevent serious evils, which their continued residence may inflict.

We shall continue this review of the report in our next number. Meanwhile we would earnestly urge its careful perusal by every intelligent Israelite. Copies may be had at the society's office, 85 St. Mark's Place.

We know not whether to congratulate or to sympathise with our friend Edouard Millaud, Senator from the Department of the Rhone which takes in Lyons, the second city of France, upon his appointment as Minister of Public Works in the new Cabinet recently formed upon the resignation of M. de Freycinet. Fortunately, a minister of France does not lose his position as Senator or Deputy when called to a portfolio in the Cabinet, and whether the Premiership of M. Goblet be short or long, and we do not believe in its

Digitized by Google

lengthy duration, it will not affect the representative career of our friend. Senator Millaud is the second Israelite who has filled the important position of the Public Works since the adoption of the new Constitution, David Raynal, of Bordeaux, having previously held the office and still being a member of the Chamber of Deputies. Mr. Millaud is yet a young man, and as advocate, Deputy and Senator has won deserved prominence by his fine talents, his discretion and sound judgment.

Like Raynal and like nearly all the Israelites of France, he was a devoted admirer and supporter of Gambetta; and like that great patriot and statesman is a prominent member of the Masonic Fraternity.

In his own Department of the Rhone, he is greatly beloved, possessing the confidence and esteem of both Conservative and Radical; and from his eminent services to the commercial and manufacturing interests of Lyons, the respect even of the opposition. Like all the representatives of that section of France, he is a Free-trader and in his new rôle will no doubt be able to considerably promote the special interests in this particular of his constituency, though the growing sentiment of France has for some years been in the opposite direction, and like her great rival Germany is likely to become more and more accentuated in this behalf.

THE Children's Aid Society, of which the veteran philanthropist, Charles L. Brace, continues to be Secretary, makes an earnest appeal at the close of the year 1886, which should find a response from every benevolent heart. In the report on the work of the year the officers say: "There were during the past year, in our six lodging houses, 11,820 different boys and girls; 271,047 meals and 212,104 lodgings were supplied. In the twenty-one day and fourteen evening schools 10,367 children, who were taught and partly fed and clothed—525,350 meals being supplied; 2,876 were sent to homes and employment aud restored to friends in both east and west; 1,214 were aided with food, medicine, etc., through the "Sick Children's Mission"; 4,432 enjoyed the benefits of the "Summer Home" at Bath, L. I. (averaging about 300 per week); 4,331 mothers and sick infants were sent to the "Health Home" at Coney Island; 348 girls have been instructed in the use of the sewsewing machine in the Girls' Lodging House and the Industrial Schools; $8,048.17 have been deposited in the Penny Savings' Banks. Total number under charge of the Society during the year, 34,174." This is a splendid showing of active philanthropic work, and we heartily com-

Digitized by Google

mend the support of the Society to all our readers. Subscriptions may be sent to Wm. A. Booth, Esq., President, or to George S. Coe, Treasurer, American National Bank.

THE Hospital Saturday and Sunday Association of New York is a non-sectarian body, whose work for the past seven years has been fruitful of vast good. It is gratifying to observe that in proportion to their numbers the Israelites of the city have contributed the largest percentage of gifts and money. It is equally pleasing to note, as a feature of last year's collection, that all of the Synagogues, all of the Universalist Churches, and the Society of Ethical Culture, left the disposition of their offerings entirely to the Association, and those of the gifts from secular sources (97½ per cent.) were likewise free from conditions. There are now twenty-seven hospitals represented in the Association, and the disposition of all moneys contributed should be confided entirely to the Distributing Committee for division among these according to the work done by them among the poor.

WE offer our readers a surprise and pleasure—a veritable treat—in the new cover which embellishes the present January number of the MENORAH. In originality of conception, in eloquence and pathos of expression, in fidelity of execution, this design is incomparably superior to anything yet given in magazine literature. It is the work of an American artist who, though still young, has already won recognition in the Old World, and whose paintings at Paris *salons* have been the admiration of the highest *connoisseurs*. This new contribution in another but kindred field will add fresh laurels to his genius. The Photo-Engraving Co. have performed their part with rare fidelity, and this latest work of their *atelier* is unequalled. The drawing represents Humanity supplicating for light at the altar of the Supreme.

REV. A. LÖWY, one of the most popular of the Hebrew ministers of London, and one of the most prominent in founding the Anglo-Jewish Association, celebrated his seventieth birthday on the 10th ultimo. Since the death of Dr. Abraham Benisch, whose memory is precious to all who ever knew that eminent scholar and true philanthropist, few men have contributed more than Dr. Löwy to promote the higher interests of the British-Jewish community and the general cause of Israel throughout the world. Equally familiar with German and French he has been of inestimable service as the Honorable Secretary of the Anglo-Jewish Association in interpreting the thousands of petitions which have reached

Digitized by Google

that body from the down-trodden of all lands. The Berkeley Street congregation presented their beloved pastor with a fitting testimonial, and he was likewise the recipient of many other tokens of esteem. As our contemporary, the *Jewish World*, remarks: "He is a popular preacher, a scholarly contributor to the transactions of learned societies, a worker in the thick of the communal machinery, and a philanthropist whose unostentatious exertions on behalf of distress, in many forms, have contributed far more than their full share to the support of communal burdens." The Editor of the MENORAH wishes his old friend every joy.

WE are indebted to our venerable Bro. A. Abraham, of Cincinnati, Secretary of the Grand Lodge, for a complete set of the Annual Reports of District No. 2, from the earliest up to the present time. We highly appreciate the great kindness of our esteemed friend and brother in responding to our request. We should feel equally obliged to the Honorable Secretaries of all the Districts for similar favors. The Editor of the MENORAH, owing to his long absence in Europe, where, though, he was favored from time to time with the annual reports of some of the Districts, through the kind remembrance of friends and brothers, is without regular sets of these reports, and, naturally, from his present position, is anxious to secure such for the library of the Magazine. He will feel much indebted to all who will send him the same, and will gladly acknowledge their receipt. The Editor will be equally happy to receive copies of all printed addresses made by members of the Order past, present and to come.

IN originally publishing a German Department in the regular edition of the MENORAH our object was to promote the cause of the Order in Germany. Want of space has hitherto prevented us from doing justice to this Department and other inherent difficulties have measurably interfered to make such as complete and valuable as we could have wished. These obstacles have been overcome with our present issue, by printing a supplemental edition wholly in German which has been sent in advance to Europe. Copies may be had by such of our American Lodges as work in German and are regular subscribers to the MENORAH. Address the Editor.

FOR the coming year we have made engagements with and are promised contributions from some of the ablest pens at home and abroad among Israelites. The MENORAH is rapidly acquiring a

Digitized by Google

position which will enable it to secure the very highest talent, and as its pages are open to broad and enlightened discussion, the true and most elevated function of literature, we shall welcome all shades of thought which have a bearing upon true progress and pure culture. The young men and women of Israel, gifted with the *Cacoethes Scribendi*, will also have a chance, and though we cannot guarantee acceptance of all papers sent us, an impartial judgment will be passed upon all.

We have received too late for publication in our present number an admirable letter from Brother Julius Fenchel, of Berlin, in which the able writer shows that the Order is not a mysterious *Bund*, having secret objects and designs, which it conceals from the public eye. On the contrary, the Order shrinks not from publicity, nor has any hidden or latent designs prejudicial to the State, to society, or to religion. We shall publish the article in our German Department for February.

'Hanuka was more generally celebrated in New York this year than for many seasons. The *Menorah* was lit in many hundreds of homes and the heroic deeds of the illustrious Maccabees rehearsed with pride and delight. Eloquent sermons were preached by our divines, and the glorious festival honored as it always should be. Its celebration commemorates one of the brightest pages in the history of Israel.

The Mercantile Library of New York, on Astor Place, has 212,000 volumes and over 400 periodicals. Membership cost but $5 annually. *Apropos* of this subject, the Mercantile Library should have a new and more commodious building, and our public-spirited citizens should promptly furnish the money to erect such a structure.

The typographical beauty of the *Voice of the Fair* was the subject of universal admiration. Bro. Philip Cowen is rapidly winning first rank among the printers of the city. For good taste and good work he is an honor to the profession of which the illustrious Franklin was the father in this country.

Brothers Jacob H. Schiff, of Mount Sinai Lodge, and Isaac Wallach, of Lebanon Lodge, covered themselves and the Order with glory at the Montefiore Fair. It was gratifying to note the active

Digitized by Google

and prominent part taken by members of our Fraternity in promoting its success.

THE *Atlantic Monthly* for January is a gem of a number. Pure intellectual culture can be had from this Magazine. It is not sensational; we abhor those who pander to a vitiated taste which they have yielded to and are helping to develop. There is nothing meretricious about the *Atlantic*.

WE are under special obligations to Bros. Morris Goodhart, A. W. Mann, Joseph Fox, Secretary Hamburger, Morris Adler, and others, for their indefatigable efforts to spread the "light of the MENORAH."

WE have no traveling agent and in consequence no person is authorized to collect moneys for the MENORAH, except upon written authority from the Editor.

THE B'NE B'RITH IN GERMANY.—With that spirit which is characteristic of a people who have appreciated the benefits and blessings of a solid education, our German brethren, in becoming members of the Order, have at once displayed a true conception of its higher and nobler objects. We are indebted to an esteemed brother of Magdeburg for the following latest intelligence from our sister Lodges in Germany:—

MONTEFIORE LODGE celebrated November 14th its first anniversary, a full attendance of members and invited guests being present. The programme consisted of addresses and music, followed by a supper and ball. About two hundred persons participated in the festivities. At 6.45 P. M. Dr. H. Hildesheimer, President of Montefiore Lodge opened the entertainment with a brief but touching address; whereafter the delegates of the Grand Lodge (Bro. Haagen), and of the sister lodges (Brothers Merzbach, President of the Deutsche Reichsloge; Benjamin, President of Berthold Auerbach; Max Heimann, of Mendelssohn Lodge and Dr. Kroner, of Zion Lodge) expressed their felicitations. Especially prominent were the warm words of congratulation uttered by Bro. Sulzberger, of New York Lodge No. 1 of New York, for 33 years a zealous Ben B'rith, and honored with high offices in the Order. He was the honorary guest of the occasion and spoke in high terms of praise and recognition of the great success and progress of the German lodges. At the supper Bro. Roth delighted all with the "Kol-Nidre

Digitized by Google

Prayer," masterly performed on the Cello, accompanied by Miss Kalischer on the piano. The festival was closed with a ball.

MAGDEBURG.—Mendelssohn Lodge of this city believes that it is equally its duty to labor for the general, as for the special good of the Jewish community. That is to say, it does not believe in limiting its works for spiritual progress to members alone, but extending such to all Israelites. Its purely benevolent work may be transacted with closed doors, but when it would labor for the instruction, culture and entertainment of Israelites, its meetings should be open to all. This spirit of the lodge manifested itself by the entertainment it gave recently at the *Kaiserhof*, the eminent author Alphonse Levy being the principal attraction, delivering a charming lecture, which edified the overflowing assembly, among whom were many of other religions. A delightful social entertainment followed. The next lecture will be given by Mr. W. Herzberg, Director of the Orphan Asylum at Jerusalem, who has already made himself a name in German literature. Worthily does Mendelssohn Lodge illustrate the great name it bears.

DRESDEN.—Fraternity Lodge of this Saxon capital was honored at a late meeting by the presence of Bro. Julius Fenchel, President of D. G. L. No. 8, and Bro. Heinrich Benjamin, President of Berthold Auerbach Lodge of Berlin. A highly interesting debate initiated by the worthy Monitor of the lodge elicited speeches from several brothers, and particularly eloquent ones from the Berlin guests. Afterwards Bro. Fenchel addressed the members on the secrecy feature of the Order, in which he ably demonstrated that our society is not a secret body, except for its charitable works to the initiated. Its character was open, and its objects calculated to promote the welfare of the Jewish community in general, and was entirely free from political or personal aspirations beyond making good citizens and true patriots. Before adjourning it was decided to celebrate the first anniversary of the Lodge in February, at the Royal Belvedere on the Elbe.

HAMBURG.—In behalf of instituting a lodge for Hamburg-Altona, Rev. Dr. Jonas delivered an eloquent and thoughtful lecture to a large audience. His subject was, "Judaism and Humanity," and in the most masterly manner the learned Rabbi demonstrated that in the true development of these high and holy objects, the Order B'ne B'rith had its most powerful claim. So gratified were his auditors, that at the close of the meeting it was resolved to request a copy of the lecture for publication, which we hope to give in a future number of THE MENORAH.

Digitized by Google

BERLIN: Berthold Auerbach Lodge understands how to cultivate the intellectual and social spirit among its members and their families. Their entertainments are true "family fetes." Brother Kochmann, Chairman of the Entertainment Committee, understands perfectly how to render these gatherings attractive and enjoyable to members, their wives and even children.

BIELEFELD.—Westphalia Lodge. of which Bro. Louis Hirschfield is President, has a full attendance of members at all its meetings, who take the liveliest interest in the proceedings, and evince their pride in forming a part of the great Brotherhood. New recruits are being constantly added, and the good work of Charity, Enlightenment and Harmony goes forward with increasing strength.

IN GENERAL.—Throughout the Empire there is a great awakening, in consequence of the establishment of the Order. At the meetings of a number of the lodges, chapters of the History of the Order and other articles now appearing in THE MENORAH are translated and read, and excite the utmost interest and enthusiasm.

NOTE.—The special edition in German of THE MENORAH, containing the annual report of the President of the Executive Committee, Bro. Julius Bien, and contributions from the pens of Bros. Isidor Bush and Mayer Thalmessinger was published and sent to Europe on the 15th ult. In consequence, no German department is given in the present number.

NOTIZ DER REDACTION.—Wir können kaum die Ausdrücke finden, um unseren lebhaften Kummer für die unverzeihlichen typographischen Fehler in dem Artikel von Bruder Fenchel "Bruderliebe", in der December-Nummer der MENORAH erschienen, zu äussern.

In der Eile, dem versäumten Artikel doch in dem December-Heft Platz zu geben, haben wir leider den Probebogen desselben zu lesen verfehlt, und unglücklicher Weise war es uns auch unbekannt, dass der Setzer ein neuer und in der deutschen Sprache gänzlich unerfahren gewesen sei. Nichts Aehnliches wird in der Zukunft stattfinden.

Wir flehen um Gnade zu unserem vorzüglichen Correspondenten und hochgeehrten Mitarbeiter, Bruder Julius Fenchel, den, wir hoffen, Niemand für diese Fehler verantwortlich halten werde.

NOTES.

Book Chat for November is a bright and, sparkling number and invaluable as a guide for those who desire to purchase without trouble good books or magazines. Brentano Bros., 5 Union Square, are the Publishers THE MENORAH may also be had at their establishment.

Send your copies of THE MENORAH for binding to Levenson, 50 Chrystie Street. The first six numbers, forming Volume I., make a handsome work.

Digitized by Google

OFFICIAL DEPARTMENT.

DECISIONS OF THE COURT OF APPEALS.

EXECUTIVE-COMMITTEE.

Julius Bien, President,	New York.
Josiah Cohen, Vice-President,	Pittsburg, Pa.
M. Thalmessinger, Secretary	New York
Isidor Bush, Treasurer,	St. Louis, Mo.
Wm. Lovenstein,	Richmond, Va.
Joseph Hirsh,	Vicksburg, Miss.
Edward Rubovitz,	Chicago, Ill.
Joseph Bien	San Francisco, Cal.
D. Wolff,	Berlin, Germany.

COURT OF APPEALS.

Joseph Abraham, President,	Cincinnati, O.
Adolph L. Sanger,	New York.
M. K. Cohen,	Philadelphia, Pa.
Jacob Greenebaum,	San Francisco, Cal.
Simon Wolf,	Washington, D. C.
Adolf Kraus,	Chicago, Ill.
Leo. N. Levi,	Galveston, Tex.
Jacob Shroder,	Cincinnati. O.
Morris Goodhart, (For D. G. L. No. 8),	New York.

Digitized by Google

APPEAL LXIX.

GOLDEN GATE LODGE, No. 129, I. O. B. B., *vs.* DISTRICT GRAND LODGE, No. 4, I. O. B. B.

STATEMENT OF FACTS.

On or about March, 1884, charges were preferred in Golden Gate Lodge against R. Honigbaum, a member in good standing of said lodge, for immoral conduct. The charges and allegations made therein were duly and properly tried at a meeting of said lodge, held May 7th, 1884, and continued, by dispensation of the Grand Lodge, until May 11th, when the final trial took place in the lodge, and the accused was found guilty as charged, by a vote of 20 to 6.

The accused gave notice of an appeal to the District Grand Lodge at the meeting the trial was had. At the meeting succeeding the one the trial was had and the accused found guilty, to wit: at the regular meeting of said lodge, held on Wednesday, the 14th day of May, 1884, the lodge met and transacted its regular business, and no appeal was filed, but at a subsequent meeting, held on May 21, 1884, counsel for defendant, Bro. Edward L. Wolfe, presented the appeal, which the lodge refused to accept, for the reason, that under section 3, Article X., of the General Laws of the District, the appellant forfeited his right to appeal.

Art. X., sec. 3, reads as follows:

"Sec. 3. In every instance, the appeal must be presented in duplicate to the lodge, at the meeting next succeeding the one in which notice of appeal has been given, unless for particular cause the lodge extends the time to the brother, otherwise he forfeits his right to appeal."

The appellant, through his counsel, gave notice to appeal against said action of the lodge to the D. G. Lodge, and this time he presented his appeal in proper time. The Committee on Jurisprudence and Appeals of D. G. Lodge, No. 4, after hearing counsel for the lodge and appellant, dismissed the appeal.

GROUNDS OF APPEAL.

On October 22d, 1884, when the decision dismissing the appeal was promulgated, Brother E. I. Wolfe, counsel for R. Honigbaum, gave notice that he would appeal from the action of Com-

Digitized by Google

mittee on Jurisprudence and Appeals to the Grand Lodge, and at the annual meeting of the Grand Lodge, held January 25th, 1885, the Grand Lodge failed to accept the opinions of the Committee on Jurisprudence and Appeals, and thereby reversed the action of Golden Gate Lodge, virtually deciding that section 3 of our General Laws, to wit:

"In every instance the appeal *must* be presented in duplicate to the lodge at the meeting *next* succeeding the *one* in which notice of appeal is given, unless, for particular cause, the lodge extend the time to the brother, otherwise he forfeits his right to appeal," is one of those sections that a lodge can with impunity violate and set aside, and from this decision of the Grand Lodge, or, rather, from the misinterpretation of the Grand Lodge of its own laws, laid down for the government and guidance of lodges, this appeal is taken to your honorable Court.

The Committee on Jurisprudence and Appeals of this District, composed, as it is, of the best and most honorable members of our District is, after all, drawn from men who, while possessing the qualifications of good, noble and honest men, lack, to a certain degree, the legal acumen to discern the distinction between a proposition of law and that of benevolence. They fall into the common error, and say:

"While it seems hard to deny a defendant the right of appeal," etc., etc.

Now, in the first place, Golden Gate Lodge did not deny the defendant, Honigbaum, the right to appeal, nor could Golden Gate Lodge deny him that right.

It is a right that he had under the laws. There is a vast distinction between denying a man a right he possesses and the forfeiting of his right of his own free will and accord. Honigbaum voluntarily forfeited his right, and under the above section 3. Art. X. (and the same law relating to appeals is the law in almost every District), Golden Gate Lodge could not grant any further time at said meeting. The law seems to be mandatory: "*Otherwise he forfeits his right of appeal,*" and why should a lodge be subjected to the charge of "taking the advantage of a technicality," when she merely assumes her right and sovereign privilege to act in consonance with the law laid down for her guide and action.

A lodge can best subserve the interest of its members by pro-

Digitized by Google

tecting one and all in their rights under her laws, and when a member has failed in his duties, violated his moral obligations to the lodge, is charged and has a hearing, and, after due investigation, is found by the verdict of his own brethren guilty, the lodge loses none of her brotherly love to the fraternity, none of her charity and kindness, by not running after Honigbaum or his counsel to tell him what he must do, not to forfeit his right of appeal; and your honorable body, sitting as an appellate court, will not be carried away by sophistry or morbid sympathy, but simply decide:

"*Did the lodge act in consonance with the law, or did she evade the law?*'

The brother forfeited his right to appeal by his own acts, and the lodge was not inclined to go beyond what the *law* required her to do. The lodge is the best judge when, where and how to act with charity and forbearance towards its members, and she is sovereign in her right to mete it out as it suits her best and is most beneficial to the whole body, and not as it suits individual members, who merely guess at results without inquiring into the merits of the whole subject.

It is the rule and not the exception that men invariably are very charitably inclined at others' expenses, and are imbued with the noblest of thoughts when it don't touch their pockets, and so in this case. The Grand Lodge did not seem to have considered Golden Gate Lodge, who tried their brother and found him wanting, did not consider the law that she enacted, but simply carried away by sympathy and idle phrases and a morbid sympathy, says to the lodge: "*Never mind the law, you must let the brother appeal though his rights are forfeited under the law.*"

Golden Gate Lodge respectfully begs leave to cite in connection with this case, and identical in point at controversy, case 267, page 251, I. R. Jacobs *vs*. Eben Ezra Lodge, No. 47, I. O. B. B., reported in Ullman's Digest; also Case 114, page 120, G. Hyman *vs.* Isaiah Lodge, No. 49, Ullman's Digest.

Honigbaum claims that the meeting following the one in which he gave notice of appeal was a legal holiday—that is to say, a legal holiday declared by the Governor for reason that the I. O. O. F. laid the corner-stone for the erection of its edifice.

While the legal holiday consisted in the meeting of the Grand Lodge of Odd Fellows and its subordinates on said day, to transact

Digitized by Google

its business of the most important nature, yet Honigbaum says, and appeals to you to confirm it, that Golden Gate Lodge had no legal right to meet on the day (by her laws and charter she is bound to convene weekly), in consequence of the legal holiday declared in honor of the laying of the corner-stone of the I. O. O F.

A poor excuse is better than none.

But how a body of men, composed as is District No. 4, can consistently say, Yes, the position of Honigbaum is right; that meeting was no legal meeting, and he, therefore, did not lose his right to appeal, when the very meeting this decision is rendered is held on a Sunday, a legal holiday under our statute, its most important business is transacted on a legal holiday—Sunday, and large numbers of lodges under its jurisdiction are holding their regular meeting on Sunday. Yea, the very honorable Constitution Convention of the Order is called to convene on a Sunday, and we might go on and enumerate hundreds of different things that lodges legally perform, have performed, and will perform on legal holidays, and no Court in the land will declare its actions and doings on such legal holidays illegal and void; but, on the other hand, have declared that every member of an organization similar in intent and purpose as ours, must be governed by its laws and regulations, and Courts of Justice will not interfere with such laws.

Golden Gate Lodge, No. 129, I. O. B. B., most respectfully submits its acts for your approval, praying you to reverse the decision so hastily rendered by District Grand Lodge, No. 4, and order the appeal of Honigbaum *vs.* Golden Gate Lodge be dismissed, and thus give but expression and a true interpretation of sec. 3, Art. X. which is plain, clear, and emphatic on the point raised, and upon which Golden Gate Lodge relies.

In behalf of Golden Gate Lodge, No. 129, I. O. B. B., we sign most respectfully,

SIMON BARUCH,
H. POSENER.
PHIL. COHEN,
Committee.

H. POSENER, *President.*
B. ISENBERG, *Secretary.*

Digitized by Google

ANSWER OF DISTRICT GRAND LODGE No. 4.

In replying to the appeal of Golden Gate Lodge, No. 129, I. O. B. B., District Grand Lodge, No. 4, comes before the Court of Appeals, imbued with the profoundest respect for its members, and with a determination at all times to cheerfully submit to its decisions, feeling sure that they will always be on the side of justice and equity.

In the appeal at issue, there are three distinct points raised which we take up separately :

1st. Bro. Honigbaum says, in his appeal, that on account of Wednesday, May 14th, being a legal holiday, duly declared and enacted by the Governor of this State, he could not, under the laws of the State of California, be compelled to file his appeal papers on that day, neither could he forfeit any of his rights by his failure to so act on that day.

On March 28th, 1874, the Legislature of California enacted a law entitled, "An Act relating to Mutual Benefit and Relief Associations," under which head our organization can properly be classed. Section 5 of said act provides as follows : "Such organizations may make such By-Laws *not inconsistent with the laws of this State*, as may be necessary for its government, and for the transaction of its business," etc., etc.

Appellant seeks to ridicule the legal holiday on account of its being proclaimed to give *eclat* to an imposing Odd Fellow celebration that was held in this city on May 14th, '84.

But Section 7 of an act of the Legislature, known as the "Civil Code of California," gives the Governor of this State the right to proclaim a legal holiday, and, consequently, no matter for what purpose proclaimed, under the laws of this State, it is, to all intents and purposes, a legal holiday.

And it might be well to state that the day was observed as such throughout this State by an almost complete suspension of all business. Section 10, of the same Act, "Civil Code," reads as follows :

"The time in which any Act provided by law is to be done is computed by excluding the first day and including the last, *unless the last day is a holiday, and then it is also excluded.*"

Section 11, of the "Code," provides as follows : "Whenever any Act of a secular nature, other than an Act of necessity or

Digitized by Google

mercy, is appointed by *law or contract*, to be performed upon a particular day, which day falls upon a holiday, *it may be performed upon the next business day, with the same effect as if it had been performed on the day appointed.*

Now, the I. O. B. B., a corporation duly incorporated under the laws of this State, is certainly amenable to those laws, the same as any other incorporated body.

Therefore, if it be shown that the filing of the appeal papers was not "an act of necessity or mercy," then, under the law, Robert Honigbaum could not be compelled to perform that act on that day, and, consequently, he has forfeited none of his rights as a member of the corporation known as the I. O. B. B. by his failure to present his appeal papers on a legal holiday.

Now let us look into the relationship that lodges in our Order bear to their members. It appears to us that when a member joins the I. O. B. B. there is virtually a contract entered into, in which the lodge and the members are respectively parties of the first and second part.

The contract sets forth that in consideration of certain sums, to be paid every month by the members, he shall be entitled to certain privileges and certain sums per month, in case of sickness, etc., providing (on the part of the lodge) that the member must subscribe implicit obedience to the Constitution and Laws of the Order, and provided (on the part of the member) that such laws shall not be in conflict with the laws of the State. Now, what difference is there between this contract and that of any other nature? We can distinguish none, and certainly the same laws that apply to all contracts will apply to this.

Your attention is called, in support of this theory, to the case of *In re* Dunkersan & Co., 4 Biss., 227.

Judge McDonald, in the District Court of Indiana, decided as follows: "A by-law of a corporation is a contract between the corporation and stockholders (or members?) and the ordinary rules of construing contracts apply in its construction."

Well, if this decision be of any worth, the by-law which provides for the filing of appeal papers on a certain day is part of a contract, and under Sections 10 and 11 of the Civil Code of California, all business of a "secular nature other than a work of necessity or mercy," that the by-laws provide to be done on a certain day, should

Digitized by Google

that day be a legal holiday, could be done "on the next business day, with the same effect as if it had been done on the day appointed." Therefore, the appeal papers having been presented on the next business day of the lodge they ought to have been received.

But it may be claimed that the trial of Honigbaum, and all business pertaining thereto, was not business of a secular nature, and that the business of an organization such as ours is entirely different from all other corporations.

We respectfully direct your attention to the case of Max S. Meyer *vs.* The Society for Visiting and Attending the Sick, 52 Penn., 125.

Judge Agnew, in the Supreme Court of Pennsylvania, in the above case, in the closing of his decision, decides as follows:

"If may not be amiss, with a view to call attention to it, to notice that this was not an ecclesiastical or church trial concerning matters of conscience, *it was an ordinary secular or business affair, which any other corporation might engage in.*"

Now, as the charges brought against Meyer were somewhat similar in character to those preferred against Honigbaum, the above decision, from so high an authority, goes a long way to establish the fact that the trial of Honigbaum, and, of course, *all subsequent business pertaining thereto or arising therefrom* is business of a secular nature, coming directly under the provisions of Sections 10 and 11 of the Act called "The Civil Code of California" and consequently counsel having presented the appeal papers on the next business day, no rights of Honigbaum were forfeited by his failure to perform an act of a secular nature on a legal holiday, and as no one can reasonably claim that said business was "an act of necessity or mercy," this Grand Lodge decided that Honigbaum had not forfeited his right of appeal.

The argument is presented by appellant on page 13 of their appeal, "that every member of an organization, such as ours, must be governed by its laws and regulations, and courts of justice will not interfere with such laws."

In view of the decisions rendered by the courts in nearly every State of the Union, the latter part of this argument is preposterous and incorrect.

We quote the following cases in proof thereof from "Boone on Corporations":

Digitized by Google

1st. James J. Waring *vs.* Georgia Medical Society, 38 Georgia, 608.

Judge Schley, in the Supreme Court of Georgia, decided :

"Where a voluntary society applies for a charter, and it is incorporated to promote its objects, the acceptance of the charter subjects it to the *supervision of the proper legal authorities*, and where a member has a legal right which has been violated by the society, he is entitled to relief by mandamus;" and further :

2d. "A citizen cannot forfeit any rights, as a member of a corporation, by doing an act that is encouraged by the laws of the State."

Anton Roehler *vs.* Mechanics' Aid Society, 22 Mich., 80.

In this case Chief Justice Campbell, of the Supreme Court of Michigan, decided as follows :

"A voluntary society may be compelled by mandamus to restore to one of its members a substantial right of which he has been deprived by the action of the society in the violation of constitutional law."

3d. Brewster *vs.* Hartley, 37 Cal., 15.

Chief-Justice Rhodes decided :

"That a corporation has no right by its by-laws to limit the rights that any member has conferred on him by the statute of the State."

The right of a lodge to make its own by-laws is guaranteed by our Constitution, but such laws must not be inconsistent with the laws of this State, for members have certain rights under such laws which must be respected in our Order. If, then, Golden Gate Lodge, by its by-laws seeks to compel a member to perform acts of a secular nature on a legal holiday, such by-law, under the laws of the State of California, would be invalid and void.

Here, again, appellant would say, "the courts would not interfere with such by-laws," but we quote the following decisions in proof of our argument :

George W. Crossley *vs.* Illinois Masons' Benevolent Society, 69 Ill., 195.

Justice Sheldon, in the Supreme Court of Illinois, held that a by-law of the Masonic Order, if contrary to the laws of the State in which incorporated, is invalid and void.

James Doyle *vs.* New York Benevolent Society of Operative Masons, 3 Hun., 361.

Digitized by Google

Justice Davis decided that

"A by-law of the corporation was void and invalid as against public policy."

People *vs.* Crockett, 9 Cal., 112.

"Decided that a by-law contrary to the constitutional law of the land is void."

Michael Schmitt *vs.* Saint Franciscus Benevolent Society, 24 Howard, 216.

In the Supreme Court of New York, Justice Marvin, in the above case, gave the following decision, Michael Schmitt having been expelled for violation of a by-law of the society:

"M. Schmitt, as one of the members of the corporation, has rights which the law will protect.

"He was expelled for violation of Article 4 of the by-laws of said corporation, but I hold *that the by-law is void and invalid, because it is in conflict with our Laws and Constitutions.*"

"The defendant, the Benevolent Corporation, was incorporated under an Act entitled 'An Act for the Incorporation of Benevolent, Charitable and Scientific Societies.'"

The Act authorized the Society to make by-laws *not inconsistent with the Constitution and the Laws of the* State or United States."

"A member once admitted will have all the rights and privileges provided by the charter under the statute, and the by-laws of the association contain no provision in conflict with the statute.

"This society was incorporated for charitable and benevolent purposes, under a statute of the State, and it is possessed of property and funds in which the relator has an interest; *and the law protects that interest*, and he cannot be deprived of his rights by a by-law in conflict with the laws of the State." Schmitt was restored to membership by order of the Court.

We could quote, *ad libitum*, decisions of the Courts holding that the by-law of any corporation must not be in conflict with State laws, but believe that sufficient has been shown your Honorable Court to establish the fact, that Honigbaum could not be deprived of any of his rights as a member of the I. O. B. B. by his failure to act on a legal holiday.

The law is explicit when it says, "such acts may be performed on the next business day with the same effect," and as the appeal papers were presented on the next business day to the lodge, it was

Digitized by Google

plainly the duty of Golden Gate Lodge to receive them on May 21st.

The conclusions arrived at by the Committee on Jurisprudence and Appeals, as plainly expressed in their decision, is in itself a sufficient reason why Honigbaum should have the right of appeal.

The committee decided that the counsel for Honigbaum, Bro. E. I. Wolfe, "was in possession of a faulty copy of the General Laws, for which he was not to blame." It decides that the action of Golden Gate Lodge towards Honigbaum was "tyrannical and unjust;" it says, "it is hard to deny a man the right of appeal, by reason of an accident or technicality," but "the lodge having placed itself on a strict and technical construction of the law, we decide against Honigbaum."

Heaven save the I. O. B. B. if its laws will bear such a construction, which, if carried out, might, for instance, give a lodge unwarranted power to expel an innocent man, simply because he was unfortunate and liable to be sick for some time, and then refuse him the right of appeal to a higher tribunal.

The action of Golden Gate Lodge is peculiar in the extreme.

If Robert Honigbaum was found guilty, in accordance with the evidence deduced at his trial, why need the lodge be afraid to allow the evidence to go before the Committee on Jurisprudence and Appeals? One of the points in Honigbaum's original appeal is, "That the verdict was not justified by the evidence." What harm can accrue Golden Gate Lodge? For if the evidence sustains the charges, the lodge will undoubtedly be upheld by the committee.

Appellants say they rest their case on Section 3, Article 10 of the General Laws: "In every case," etc, and further say that the Grand Lodge, in deciding against them, was guilty of a misconstruction of their own laws.

It would appear to us that the Grand Lodge, who makes a law, is by far the best qualified to properly interpret its meaning and intention. And, if the Grand Lodge says, as it has, that a legal holiday is an exception to the "in every case," it, as the legislative body of the district, has surely the right to so enact.

The purpose for which the legal holiday was proclaimed cuts no figure, and as the trial terminated on the 11th of May, and the holiday was proclaimed on the 12th, counsel had no opportunity of asking for extension of time, and in the light of the previous action of

Digitized by Google

the lodge there is a reasonable doubt as to whether the lodge would have granted further time.

This is fully illustrated by the lodge refusing to accept the other appeal papers, even where they were presented in legal time

The Committee on Jurisprudence and Appeals, in their decision, say? "There is no law in this Order which permits lodges to miss their meeting on a legal holiday."

In this they are certainly in error.

For this Grand Lodge has already established the status of a legal holiday.

Golden Gate Lodge says they had no right to miss their meeting on the legal holiday, because the law says, "Lodges must meet on the night set forth in their charter."

But the Grand Lodge, by approving by-laws of Unity, California, Cremieux, Occidental, and other lodges, which read: "This lodge shall meet on ——— night, excepting when the same falls on a Jewish or legal holiday," have established a precedent, which would admit of a reasonable doubt as to a lodge meeting on a legal holiday, and the Grand Lodge, in taking this view of it when they reversed the decision of the Committee on Jurisprudence and Appeals, gave Brother Honigbaum the benefit of that doubt.

But another issue is presented:

Although the by-laws of Golden Gate Lodge say: "This lodge shall meet every Wednesday night," it was clearly shown to the Committee on Jurisprudence and Appeals and proven to the Grand Lodge, that when the first *Seder Night* of the last Passover holiday fell on Wednesday night Golden Gate Lodge did not meet on that night (neither did it adjourn for the want of a quorum, as may be claimed), but it simply held no meeting, and without procuring a dispensation from the proper authority (the Grand Lodge) allowing it to miss such meeting.

This, to our minds, would create a reasonable doubt as to whether this lodge held its meetings on Jewish or legal holidays, and the benefit of that doubt must be given to Bro. Robert Honigbaum.

The argument that this Order is composed of only Jewish members, and that we are in duty bound to respect such holidays, will not hold in this case, for the lodge has placed itself on a "strict and technical construction of the laws," and as their law says they must meet on every Wednesday night, *without exception*, their having held

Digitized by Google

no meeting on a Jewish holiday, in contravention to their own laws, the supposition would hold, that, at their own pleasure, they need hold no meeting on Jewish or legal holidays, thus taking advantage of the laws approved by the Grand Lodge, which, except Jewish and legal holidays, from the nights when lodges must meet pursuant to their charters.

And, besides, this Grand Lodge of an order exclusively Jewish, in a country where religious freedom of thought and action is upheld in a manner at direct variance with the prejudice that prevails against our co-religionists in other lands—this Grand Lodge, we say, is not prepared to give anti-Semites an entering wedge of bigotry and fanaticism, by saying: "We will respect and be bound by our religious customs and holidays, but the civil regulations of the State and country in which we live we regard as naught.

Thus, besides establishing the fact that even though a lodge does meet on a legal holiday, it has not the right to compel its members, in opposition to the law of this state, to perform business of a secular nature on that day, we are of the opinion that we have proven to your Honorable Court that there was a reasonable doubt as to whether the appellant, Golden Gate Lodge would meet on the holiday. And if this be established, then, in accordance with law and usage, Honigbaum should have the benefit of the doubt, and the lodge compelled to receive his appeal papers.

Ullman, in his Digest, page 560, paragraph 587, says: "Quibbles and devices resorted to by lawyers in public courts should not be introduced into trials of members of the Order. We should be guided by benevolence and brotherly love and a desire to preserve harmony.

Why, the laws of this State provide that where a convicted felon desires to appeal from his sentence to a higher Court, his counsel is given so many days in which to file his appeal papers, but should the last day fall on a legal holiday, then is counsel given *until the next business day, or until the next time the Court meets, in which to file his appeal.*

In view of this, this Grand Lodge is not prepared to say to the members of our Order, and to the hundreds of young men who are growing up, and who some day may desire to enter our portals, that the I. O. B. B., an organization whose corner stone is friendship and charity, and whose whole structure is benevolence and brotherly love

Digitized by Google

denies to one of its members that right that is accorded to the vilest criminal on the face of the earth, the right to appeal from a verdict to a higher tribunal.

The appellant seeks to refute the legal holiday proposition by saying, "The very meeting this decision is rendered is held on a legal holiday, Sunday; lodges meet on Sunday; yea (verily!) the very Honorable Constitution Convention of the Order is called to meet on Sunday," etc.

We are at a loss to understand the meaning of appellant, for this Grand Lodge has never held that it is unlawful for a lodge to meet on Sunday, or any legal holiday, but the rights of members, on such days, are plainly set forth in the laws of this State.

The Civil Code provides that an act "may be performed upon the next business day with the same effect as if it had been performed on the day appointed." But if an act be performed on a legal holiday, with the consent of all parties, that act would be valid and lawful, but no person or corporation has the right, under a contract, or by-law, to compel the performance of such act on a legal holiday, and, in this case, where the business was not transacted on a legal holiday, its having been performed "on the next business day," meets all the requirements of the law.

SECOND POINT.

"Owing to an error in the printed copy of the General Laws in counsel's possession he was compelled to give his notice of appeal one meeting earlier than was actually required by the law, and was thus deprived of some of his rights."

This, the second point in the appeal of Honigbaum, has been altogether ignored by the appellant, Golden Gate Lodge.

This point was given careful consideration by the Grand Lodge.

Counsel Edward I. Wolfe, for Bro. Honigbaum, procured from the office of the Grand Lodge, through the Grand Secretary, a copy of the General Laws of the District for his guidance during the trial of Honigbaum, as will be seen from the same copy which is sent with this answer.

Section 1 of Art. reads as follows:

Digitized by Google

"A brother intending to appeal to the District Grand Lodge, against the proceeding in a trial or against the injustice of a decision of a lodge in a case in which he is *either plaintiff or defendant*, must give notice to that effect to the Lodge at the meeting in *which the proceedings were closed.*"

It is admitted by the Committee on Jurisprudence and Appeals that this is an error, and they say they did all in their power to rectify the same by having an addenda added. For the law should read:

"In a case where he is *neither* plaintiff or defendant,"

And "In a case in which he is either plaintiff or defendant, he must give notice of appeal at the meeting when the proceedings were closed, *or at the next regular meeting of the lodge.*"

The copy obtained from the Grand Secretary *did not have an addenda pasted therein*, and thus, by an error for which Bro. Honigbaum was not to blame, he certainly ought not to be made to suffer. Honigbaum claims by this error he was deprived of some of his rights—to wit: had he not been compelled to give his notice of an appeal on May 11th, his papers need not have been presented on May 14th, as he could, had he so desired, have given notice on May 14th, and when he presented his papers on May 21st, as he actually did, the lodge would not have had the flimsy technicality on which to rule his papers out.

The Committee on Jurisprudence and Appeals in deciding this point, say "Honigbaum would not have been benefited by this error, as his counsel would have been compelled to give his notice on May 14th, the legal holiday."

But in view of the committee admitting the existence of the error, it was hardly fair for them to have come to such a conclusion. For had the copy of the General Laws been correct, counsel could have given his notice on May 14th, and then would have had one week in which to perfect his appeal as was intended by the law; whereas Golden Gate Lodge only wanted to allow him three days for the same.

The Grand Lodge therefore decided that Bro. Honigbaum should not be made to suffer for a mistake of which he was entirely innocent.

Digitized by Google

THIRD POINT.

"Owing to the appeal papers being addressed to the Grand Lodge it was the duty of Golden Gate Lodge to receive the same and forward them to their destination."

Your attention is called to the mis-statement of this point in appellant's brief on page 5.

This point the Committee on Jurisprudence and Appeals decided well taken.

The language which the committee uses in deciding this point is so emphatic and so plain of the actions of Golden Gate Lodge in this case that this alone should be sufficient reason for giving Honigbaum the right of appeal.

"Gross injustice may be done and great tyranny can be practised by a lodge refusing to forward to the Grand Lodge petitions, applications and appeals addressed to it. IT HAS ACTUALLY BEEN SUCH IN THIS CASE.

"The appellant has been put to *immense trouble to obtain a hearing before this committee*, and has had to present several appeals and make complaints to the Executive Council."

The appellants in their addenda put on an "injured innocence" sort of expression, and say:

"Where is the applicability of this charge [meaning their having been 'tyrannical and unjust'] against Golden Gate Lodge in this case?"

"Golden Gate Lodge does not like to be charged even with a moral wrong."

Where, indeed, is the applicability? It certainly does not appear in appellant's brief. But we believe the actions of Golden Gate Lodge in this case, which we have previously shown, and which a copy of their own minutes prove, is deserving *of even stronger* condemnation.

Why, the President refused to allow an appeal from his decision to be put to the Lodge, because, perhaps, Bro. P. P. Simon Goldberg, who made the appeal and the motion to receive the papers, was openly and avowedly of the belief that Honigbaum was innocent entirely of the charges preferred; and when appeal papers in a new appeal were presented in due time, as is admitted by appellant, Golden Gate Lodge refused to receive the same, and only did so when they were compelled by an order of the Executive Council.

Digitized by Google

In the face of these undeniable facts, the language of the appellant in their addenda would appear to be unwarranted, by the conduct of the lodge toward Bro. Honigbaum, which might deceive your Honorable Court, were the facts not as fully presented as they have been.

Ullman, in his Digest, on page 635, says: "Committee on Appeals may overturn a decision when it appears that prejudice existed against the appellant."

In the face of their own language, expressed after careful consideration, it was the bounden duty of the Committee to reverse the decision of Golden Gate Lodge and give Honigbaum the right of appeal, when, if he was really guilty, he should suffer the full penalty; and, if innocent, that he might have proper redress.

This the Grand Lodge has done, and we hope and believe that your Honorable Court will say we have done wisely.

We submit that this Grand Lodge, as the maker of the laws for this District, is best fitted to properly interpret the same, and as the Grand Lodge has decided,

1st. That a legal holiday is not a day on which appellants can be compelled under forfeiture of rights to file papers of appeal;

2d. That Honigbaum was injured by the error in the printed copy of the General Laws;

3d. That the Lodge should have received the papers;

We see no reason why the same should be overruled by your Honorable Court.

The case is a very peculiar one, and we think the ends of justice will be best served by giving Honigbaum the right to appeal.

This District Grand Lodge has the best interests of the Order at heart, and is ready at all times to do everything in its power to advance the same.

It would certainly not redound to the credit of this Order to have it shown in the courts of justice in this State, that a lodge of the I. O. B. B. denied one of its members the right of appeal on so flimsy a technicality, and while the laws of the Order must be obeyed, it certainly is not the intention to so interpret them as to work a hardship on any member, and we believe that our construction of the law is correct, and will serve to uphold the tenets of our Order, Benevolence, Brotherly Love and Harmony.

We respectfully ask your Honorable Court to sustain the

Digitized by Google

decision of this Grand Lodge, giving to a brother the right of appeal.

Such a decision, from so high an authority, would prove to the world that this is not merely an insurance and business organization, that the same noble principles that actuated the founders of our Order are alive to this day, and that mercenary motives, and impulses, and prejudice must not interfere with the fraternal spirit of justice that is the guiding star of our Order.

WILLIAM SAALBURG,
GEORGE RAPHAEL,
ISIDOR JACOBS,
Committee.

REJOINDER OF APPELLANT.

Golden Gate Lodge contends that the appeal of Honigbaum, of which notice was given at the meeting the trial took place, should have been filed in Golden Gate Lodge at the meeting succeeding the one notice of appeal was given, to wit: at the meeting of Golden Gate Lodge held on Wednesday, May 14th, and not having been filed at the meeting of the Lodge that evening, but at a subsequent meeting to the 14th, to wit: on the 21st of May, that Golden Gate Lodge merely *held* in consonance with the expressed provision of the General Laws, Sec. 3, Art. X., to wit: "*In every instance the appeal must be presented in duplicate to the lodge, at the meeting next succeeding the one in which notice of appeal has been given, unless for particular cause, the lodge extends the time to the brother; otherwise he forfeits his right to appeal.*"

This section, in our General Laws, has no ambiguity about it; it is plain English, and can not well be misconstrued. It is the law in almost every District of our Order, and has received judicial sanction by many decisions given by District Grand Lodges, and your own Honorable Court, is reported in Ullman's, and cited in the appeal prepared in this case. It was, however, left to the District Grand Lodge, No. 4, to call into question its own laws, made for the government of its lodges, and virtually say, you may violate the laws of the District with impunity, for we, the District Grand Lodge, are in such frame of mind at times that we override our own laws to suit the occasion.

Digitized by Google

The guilt or innocence of the defendant Honigbaum was not before the Grand Lodge to decide, and is not for your Honorable Court to decide; the only questions to decide before the Grand Lodge and before your Honorable Court, is, *Did Honigbaum forfeit his right of appeal in accordance with Sec. 3, Art. X?*

For the first time we believe in the history of our Order a Grand Lodge makes answer to an appeal against her decision: "*That her laws, the laws she created, for the guidance and government of her subordinate lodges, are void because they are inconsistent with the statutes of the State laws.*" If that be the case, why keep such laws on your statutes, why not repeal them?

There are three questions raised by the appellee, neither one of which should receive the slightest consideration from any Court of law.

The first is, "*that Brother Honigbaum could not be compelled* to file his appeal papers on May 14th, for reasons, it being a legal holiday declared by the Governor of the State."

Golden Gate Lodge never claimed that she could compel Honigbaum, or anyone else, to take an appeal if the party is not inclined to do so. If Honigbaum or his counsel declined to avail themselves of the laws of our Order, after given notice at a previous meeting when the trial took place, of an appeal to the Grand Lodge, Golden Gate Lodge could and did not feel inclined to force the *appellant*, Honigbaum, to complete his notice. It held its regular meeting, was in session later than usual, and no appeal being filed, the *appellant* in this action (G. G. L.) had a right to surmise that, in consequence of the slight punishment meted out to the accused by Golden Gate Lodge, he desires to forfeit his right, never dreaming that the plea will be set up that, it being a legal holiday, Honigbaum will claim that meeting to have been illegally held. The appellee, in support of this theory, that the meeting succeeding the one in which notice was given, being a legal holiday, declared so by the Governor of the State, and, for that reason, Honigbaum did not forfeit his right, cites from the Statutes of California and authorities from various decisions of Courts of law in the land; but, irrespective of the fact that the laws of our Order acknowledge no holiday for the transaction of the business of lodges, excepting those made by the laws of the various lodges, and the General Laws governing our institutions, irrespective of that fact, not one decision or law is cited by the

Digitized by Google

appellee from which the deduction can be drawn, that our laws are inconsistent with any of those decisions. On page 19, in the appellee's answer, Section 11 of the Code is quoted to sustain their theory. The section reads: "Whenever any act of a secular nature, other than an act of necessity or mercy, is appointed by law or contract to be performed upon a particular day, which day falls upon a holiday, it may be performed upon the next business day," etc.,etc. The lodge did not appoint that day for Brother Honigbaum to file his appeal. If Brother Honigbaum or his counsel had taken advantage of the law of our Order, published and free to all, accessible at any and all times, of either day or night, and not given notice of appeal at the meeting of the 11th they would have taken the meeting of the 14th and given notice of an appeal, and thereby have until the 21st to file their appeal. Again the statute quoted says: "Whenever any act of a secular nature, other than an act of necessity or mercy, is appointed by law or contract."

Our laws are not of a secular nature, and "necessity or mercy," being excluded from the section of the code quoted, and the appellee emphatically declaring that the right of appeal being a merciful provision of our laws, the plea of that section to sustain their theory "other than an act of necessity or mercy," is untenable.

The appellee, speaking of the relationship that lodges bear to their members, goes into a rhapsody on what a contract sets forth, and among other matters, says: "That the members must subscribe implicit obedience to the Constitution and Laws of the Order, and provided (on the part of the member) that such laws shall not be in conflict with the laws of the State." The words commencing "and provided," never were or never will be in our laws; those words were put there by the appellees for the purpose of laying some basis to their theory. You, gentlemen of the Court, are familiar with the laws of all Districts, and Golden Gate Lodge makes the assertion that such were not the contracts made between the members and the lodge they joined. All members are required to sign the Constitution, General Laws and By-Laws of their respective lodges; each and all obligate themselves to observe them in every particular; the Order, the lodge, in return obligates herself to the performance of certain duties to members. The contract, when made, stands good so long as the member conducts himself in accordance with the prescribed laws. The laws of our Order, as well as the teachings

Digitized by Google

thereof, compel a member to be a good, true citizen and not violate the laws of the land, or by immoral conduct bring disgrace upon himself and the association he joined; if he does so he can't seek immunity from the laws or claim the performance on the part of the lodge of a contract that he broke. When tried and convicted the law mercifully gives him the right to appeal, but sets forth the manner, the time, when, where and how he can appeal. Failing in that, he can blame no one else for his misconduct but himself, and he ought to bear the burden without shifting the responsibility elsewhere.

The case of "James J. Waring *vs.* Georgia Medical Society, "38 Georgia, 608, is cited, or at least Judge Schley, in the Supreme Court of Georgia, decided:

"When a voluntary society applies for a charter, and it is incorporated to promote its objects, the acceptance of the charter subjects it to the supervision of the proper legal authorities, and where a member has a legal right which has been violated by the society, he is entitled to relief by mandamus;" and further, "a citizen cannot forfeit any rights as a member of a corporation by doing an act that is encouraged by the laws of the State."

The first part of the decision, quoted above, is perfectly consistent with all laws, that is to say: "When a member has a legal right which has been violated by a society, he is entitled to relief." *What legal right had Honigbaum that was violated by the lodge?* He had a legal right to appeal but did not avail himself of it. *Did the lodge prevent him from doing so?* No; he neglected it; forfeited it by his own acts. The lodge was ready to accede to him the right he had, but he failed to take advantage thereof.

The case of Supreme Court of Michigan is another cited to sustain the cause. There Chief Justice Campbell, of the Supreme Court of Michigan, decides that "a voluntary society may be compelled by mandamus to restore to one of its members a substantial right which he has been deprived of by the action of the society, in violation of Constitutional Law."

Golden Gate Lodge did not deprive Honigbaum of a substantial right, nor of any right, nor has a Constitutional Law been violated by Golden Gate Lodge, but quite the reverse. The lodge upheld and acted in accordance with the Constitutional Law, Art. X., Sec. 3, but it is the Grand Lodge that desires, by her decision, to compel

Digitized by Google

Golden Gate Lodge to violate the laws, and from which injustice Golden Gate appeals to your Honorable Court for redress. One more authority, and that of Chief Justice Rhodes, of our State, and we will inflict no further punishment on your Honorable Court.

It is claimed that, because Chief Justice Rhodes of California Supreme Court, says: "That a corporation has no right, by its By-Laws, to limit the rights that any member has conferred on him by the statute of the State," that the Grand Lodge shall be sustained.

Now, what right had Honigbaum or any of the members of our Order, under our jurisdiction, by the Statutes of the State conferred upon him or them, that is or was limited by Section 3, Art. IV. The deeper we dive into the answer of the appellee, the more vagaries and incongruities we find therein, and not a decision or opinion is laid down in that brief of the appellee that establishes the fact that the laws of our Order are in conflict with any of the authorities, but just the reverse. That every authority seems clearly to establish the absolute right and authority of organizations like ours, to make laws as suit them best as long as they are general in its nature, and not in conflict with the laws of the land."

The appellee claims that "the Grand Lodge who makes a law is best qualified to properly interpret its meaning and intentions. And if the Grand Lodge says, as they have, that a legal holiday is an exception to the rule in 'every case,' they, as a legislative body of the District, have surely the right to so enact."

None gainsays the right of the Grand Lodge to so enact laws for the government of lodges, but the trouble is, that the Grand Lodge did enact Sec. 3, Art. X., and it stands as the law, and while the power to enact or repeal is conceded the power to interpret as it suits their fancy and convenience, is most emphatically denied. For if for one short moment we concede that pernicious and preposterous doctrine, all rights of members would cease. Instead of having some sovereign rights as guaranteed to the lodge and members by the Constitution, it would place a despotic power in the hands of the Grand Lodge, from which ruling none could appeal. The Grand Lodge in this case represents simply an individual with more rights than an individual. Her acts, if illegal, wrong and oppressive, are subject to a review by your honorable Court of Appeal, the highest authority in the Order, and this injurious declaration

Digitized by Google

that Grand Lodges can't do wrong, ought to be checked, as it undermines the very foundation of the Order.

The appellee claims on page 30, because the Grand Lodge approved the By-Laws of some Lodge which specifically declare that their meetings shall not be held on Jewish or legal holidays, that thereby a precedent was established that on a legal holiday there must be no meeting ; the absurdity of the proposition is too apparent. It concedes merely the right of the lodges whether they wish to meet or not on a legal holiday ; and that very fact concedes the right of Golden Gate Lodge, or any other lodge, to meet as the charter calls for—weekly.

Golden Gate Lodge submits the case into your hands without any fear ; she has acted in accordance with the expressed provisions of the Laws of the District and the opinion of the Committee on Jurisprudence and Appeals of this District, consisting of old, tried, and able jurors and disciples of our Laws—such brethren as Jacob Greenebaum, D. A. D'Ancona, H. Lowenberg and J. Samuels, members that had served for a quarter of a century in that capacity and held the most exalted positions of trust and honor in the Order—is to Golden Gate Lodge a guarantee that the Appeal will and ought to be sustained, and the decision of the Grand Lodge be reversed.

In Brotherly Love, we subscribe ourselves, for Golden Gate Lodge No. 129.

SIMON BARUCH,
HERMAN POSENER,
PHIL. COHEN,
} *Committee.*

H. POSENER, *President.*
B. ISENBURG, *Secretary.*

OPINIONS.

OPINION OF THE COURT BY ADOLPH L. SANGER, J., CONCURRED IN BY ABRAHAM, P. J., KRAUS AND WOLF, JJ.

R. Honigbaum, a member of Golden Gate Lodge, No. 129 was tried before his lodge upon certain charges which had been preferred against him. The trial was begun on the 7th May, 1884, and was continued, by consent, to the 11th May, 1884, on which date he was convicted. At that meeting he gave notice of his intention to appeal.

The General Laws of District No. 4, Article X., Section 3, pro-

Digitized by Google

vide: "In every instance the appeal must be presented in duplicate to the lodge at the meeting next succeeding the one at which notice of appeal is given, unless for particular cause the lodge extends the time of the brother, otherwise he forfeits his right to appeal."

The meeting next succeeding the one at which Honigbaum gave notice of appeal occurred on the 14th May.

It is claimed by Honigbaum that inasmuch as the 14th May had been declared a legal holiday by the Governor of the State of California, that he was not bound to present his appeal until the meeting succeeding that of the 14th May, and it appears, as matter of fact, that no appeal was presented until May 21st.

The lodge declined to recognize the validity of the appeal presented on the 21st May, upon the ground that the appeal should have been perfected at the meeting next succeeding that upon which the appellant had given notice of his intention to appeal, namely, on May 14th.

It appears, also, that an application was made to his lodge to extend the time of appeal, which application was refused.

The lodge was thereupon ordered to forward the papers in the case to the Committee on Jurisprudence of the Grand Lodge, who sustained the action of the lodge and dismissed the appeal, which decision was reversed by the Grand Lodge at its next session, and from this action the present appeal is taken.

It being conceded that the lodge had the lawful right to hold its meetings on the days respectively set forth in the appeal papers, namely, the 7th, 11th, 14th May, it follows that whatever business was transacted by the lodge at those meetings was transacted pursuant to existing laws, and that the members of the lodge were bound to observe and were governed by all the laws of the lodge and of the District in force at those times.

It was the duty, therefore, of Brother Honigbaum, he having given notice of his intention to appeal at the meeting held on May 11th, to perfect his appeal at the meeting next succeeding, to wit, May 14th, unless such time to appeal was extended by his lodge.

It is claimed that under the provision of the statutes of the State of California, where an act is to be performed upon a certain day, if that day happens to be a legal holiday, such act may be performed upon the next business day, and consequently, that inasmuch as May 14th was a legal holiday, Honigbaum's failure to perfect his appeal

Digitized by Google

on that day cannot work to his disadvantage, and that he was lawfully entitled to perform such act on the next business day of the lodge, to wit, its next regular meeting day, the 21st.

We do not think that this claim is well founded.

The acts referred to in the statutes do not apply to proceedings in lodges or private societies.

The lodge does its work under its own laws, and those of the District and of the Order, and so long as these are reasonable and not in conflict with the Constitution or laws of the State, its members are bound to observe them.

The only questions, therefore, for us to consider, are—

Firstly, was the law in question a reasonable one?

Secondly, has it been complied with by Honigbaum? and,

Thirdly, has Golden Gate Lodge or the District Grand Lodge committed an error in the premises?

That the law is a reasonable one does not admit of doubt. The Grand Lodge had the right to regulate the manner of appeals and the time within which appeals should be perfected in its own District.

Under the provisions of Article X., Section 3, of the General Laws of District No. IV., above quoted, it became the duty of Honigbaum, after having given notice of his intention to appeal at the meeting of May 11th, to perfect his appeal at the next succeeding meeting, to wit, May 14th, unless the lodge chose to extend his time. The appeal not having been perfected on the 14th, and the lodge having refused to extend his time, he was in default.

We cannot go behind the action of the lodge in refusing to extend the time of Honigbaum, for that was a matter within its own discretion, and having exercised its discretion against Honigbaum, it committed no error.

Honigbaum, on the other hand, not having perfected his appeal within the time limited, lost whatever rights were secured to him under the provisions of the Laws of the District.

We must agree, therefore, with the opinion of the Committee on Jurisprudence of District Grand Lodge No. IV., and decide that the District Grand Lodge erred in reversing that decision, and the present appeal must be sustained.

Digitized by Google

CONCURRING OPINION OF MORRIS GOODHART, DISTRICT NO. 8.

From the appeal papers, it appears that one R. Honigbaum was placed on trial in Golden Gate Lodge, No. 129, I. O. B. B., upon certain charges, and at a meeting held on the 7th, but continued to the 11th day of May, 1884, the said Honigbaum was convicted. He gave notice that he intended to appeal, and it became incumbent upon him to perfect his appeal by presenting notice thereof, in duplicate, to the lodge, on or before the next meeting of the lodge, which was held on the 14th day of May, 1884, unless his time to do so should be extended by the lodge. The 14th day of May, 1884, had been declared by the Governor of the State of California to be a public holiday, and Honigbaum, supposing that there would be no meeting of the lodge on that day, failed to present his notice of appeal, as required by the Laws of the District (see sec. 3 art. 10), but at the next meeting of the lodge, held on May 21st, 1884, he presented the appeal which the lodge refused to accept. The lodge also refused to extend the time from the 14th of May, 1884 (to the 21st of May, 1884). The lodge was thereupon ordered to forward the papers to the Committee on Jurisprudence and Appeals of the Grand Lodge, who rendered an opinion sustaining the position taken by Golden Gate Lodge in holding that the appeal was not served in time to constitute a valid appeal, and the appeal was accordingly dismissed. The District Grand Lodge, however, reversed the decision of the Committee on Jurisprudence, and from the action of the District Grand Lodge this appeal is taken.

There can be no doubt but that Honigbaum was required to present his appeal at the meeting subsequent to the one at which he had given notice of his intention to appeal, and that, in default of his doing so, his right of appeal became lost, and unless this Court holds that the lodge had no right to meet on May 14th, 1884, by reason of its having been declared to be a public holiday, we must sustain the appeal, and reverse the action of the District Grand Lodge.

Whatever might be the opinion of the individual members of this Court as to the propriety of holding lodge meetings on public holidays, we cannot allow such opinions to override the legal aspect of the case. That lodges of this, as well as other fraternal organizations, do meet on public holidays as well as upon days set apart by particular religions as the Sabbath, is a fact so well known that it has never been questioned. In fact, in some Orders, when lodges

Digitized by Google

desire to allow a public holiday to pass by without holding their regular meetings on that day, dispensation to do so must be obtained.

Aside from this however, the laws of the State in which Golden Gate Lodge is located do not recognize either Sundays or public holidays as being of such paramount importance as to prevent legal action being taken.

The California Constitution of 1879 and the statutes passed by its Legislature in pursuance thereof, provide that "writs of injunction and prohibition may be issued and served upon any day of the week." Such writs must be granted by a court and served by the sheriff; and if they may be issued on any day of the week the courts must be open to issue them; if they may be served on any day of the week the sheriff must keep his office open for that purpose. Nor has it been left open to conjecture whether this construction of the organic and statute law of that State is correct, since the Supreme Court of California, in the case of Adams *vs.* Dohrman, 63 Cal. 417, sustained the view herein expressed.

That case arose upon the following state of facts:

The Supreme Court in one of its departments having made a decision, the unsuccessful party was entitled to move for an order for a rehearing before the Court in banc within thirty days, the Court not having ordered a remittitur to issue forthwith. The thirtieth day was Sunday, and on the succeeding day an order was made for a rehearing before the Court in banc.

Upon a motion to vacate it, the Court said that in view of the provisions of the constitution and statutes above quoted, as well as the fact that by the same constitution and statutes it was declared that "the Supreme Court shall always be open," while with reference to "the Superior Courts, they provided that 'the Superior Courts should always be open, holidays and non-judicial days excepted," it was evident, not only that writs of injunction and prohibition could be issued and served on Sundays and holidays as well as on the other days, but that the difference in language with reference to the Supreme and Superior Courts left no doubt but that the former court was required to be open always, Sundays and holidays included, for the transaction of business. It accordingly vacated the order for the rehearing, because of its having been made one day too late, and, in the opinion stated, that it might have been legally filed on the thirtieth day notwithstanding *that* day was Sunday.

Digitized by Google

The laws of Nevada, which is also within District No. 4, permit writs of attachment to be issued and served on Sundays in certain cases, and there is hardly a State wherein *some* court of criminal jurisdiction is not always open.

In the case of Dunlap *vs.* The State, 9 Tex. ct. Appeal 179, and Pender *vs.* The State. 15 Tex. ct. Appeal 496, it was held that in the absence of express provisions to the contrary, the courts may sit on legal holidays. So also in the case of Hellmans *vs.* Abercrombie, 15 S. C. 110, it was held that a mortgage made on Sunday is not void either at common law or under a statutory prohibition against the exercise on that day of acts in the "ordinary calling" of a citizen. Many more such decisions might be cited.

There is, therefore, neither principle nor reason why Golden Gate Lodge should not have met and transacted its regular business upon a public holiday. Nor will this Court deny it that right. It is, therefore, evident that the meeting was regularly held, and that Honigbaum alone is to blame for his failure to present his appeal in time. It was within the province of the lodge to have extended Honigbaum's time to have presented his notice of appeal, but *that* the lodge refused to do. No other body in the Order can compel them to grant the favor asked by Honigbaum. It rested solely within the discretion of the lodge to do so. Their action on that subject is final and not appealable.

The lodge was, however, bound to forward such papers as were served upon it, because the duty of dismissing the appeal lay upon the appellate tribunal, not upon the body from whose action the appeal was taken. If the intermediate appellate tribunals should decide erroneously, this Court would set them right. Upon being ordered to do so, the lodge complied, thereby confirming its action to the orderly course of appellate proceedings in this Order. The appellant makes light of the causes for which the Governor of California declared May 14, 1884, to be a public holiday. In that the lodge is at fault.

This Court must assume that the Governor had proper reasons for appointing a public holiday, and the cause of such appointment is a matter of no importance. It *was* a holiday, and that fact must be taken as indisputable. Neither do we regard the appeal as a technical one, but a substantial right, inasmuch as it affects a question of jurisdiction of the appellate tribunal.

Digitized by Google

But because we have shown that neither Sunday nor public holidays can invalidate or suspend legal proceedings (even in civil causes) in the highest judicial tribunal of the State in which Golden Gate Lodge has its *locus in quo*, and because no valid reason to the contrary has been shown, we have come to the conclusion that the lodge had the right to meet on May 14th, 1884, and its action being regular, the appeal to this Court is sustained. The decision of District Grand Lodge No. 4 in this matter is hereby reversed, and that of the Committee on Jurisprudence and Appeals is affirmed.

DISSENTING OPINION OF LEO N. LEVI, DISTRICT NO. 7.

The appellant seeks to obtain a reversal of the action of District Grand Lodge No. 4, in the matter of the appeal from Golden Gate Lodge, No. 129, by Brother R. Honigbaum. The question for the consideration of this Court is the legality of the action of Golden Gate Lodge in refusing, on May 21, 1884, and on July 30, 1884, to receive and forward the appeal of Honigbaum from the verdict of "guilty," rendered by said lodge on charges preferred against the brother for immoral conduct. The action of Golden Gate Lodge is sought to be sustained because the appeal was not presented by Brother Honigbaum at the regular meeting next subsequent to the one at which he was found guilty. In support of its position in this respect, Golden Gate Lodge refers us to Article 10, Section 3, of the General Laws of District No. 4, which reads as follows: "In every instance the appeal must be presented in duplicate to the lodge at the meeting next succeeding the one at which notice of appeal is given, unless, for particular cause, the lodge extends the time to the brother; otherwise he forfeits his right to appeal." The trial of Brother Honigbaum began at the regular meeting held on the 7th of May, 1884, and was continued by dispensation and consent of all parties concerned, until May 11th, when, at a special meeting for that purpose, the trial was concluded, and a verdict of "guilty" reached, and at this special meeting notice of appeal was given as required by law.

It is not disputed that the appeal should have been presented at the regular meeting held on the 14th of May, 1884, unless for good reasons it might have been presented at a subsequent meeting.

It is contended by Honigbaum's counsel that section 3 certainly

Digitized by Google

contemplated that seven days should be allowed to an appellant in which to prepare and present his appeal, and that inasmuch as only three days elapsed between the special meeting of May 11th, and the regular meeting of May 14th, that a reasonable construction of section 3 would permit him to file his appeal on May 21st, the next regular meeting of the lodge.

It is further contended that, inasmuch as May 14th was a legal holiday in California, that he was relieved from the necessity of filing his appeal upon that day.

It is further contended that he was excused for his failure to file his appeal on May 14th, by reason of the fact that the copy of the laws furnished to him by the Secretary of the District Grand Lodge, contained an error with reference to appeals, by which he was prejudiced; and, lastly, it is contended that Golden Gate Lodge should have received and forwarded his appeal when the same was presented, without respect to the time within which it was presented, for that the Appellate Court, and not the Court of original jurisdiction, should pass upon the question as to whether the appeal was presented within the time prescribed by law.

It is very clear to my mind that the court of original jurisdiction is not entitled to pass upon the question of the validity of the appeal, either in respect of its substance or its form. The legality of the appeal must be a question only to be contested in the court to which it is taken, and Golden Gate Lodge was limited in this respect to a motion to dismiss the appeal from the Committee on Jurisprudence and Appeals, because the same was not filed within the time prescribed by law. This proposition, I take it, is so elementary and clear as not to require any argument to support it.

It is equally clear to my mind that Honigbaum is not entitled, as a matter of positive right, to any exemption from the operation of a law of the District, because of his ignorance or the ignorance of his counsel of the existence of such a law. The appellee in this case, District Grand Lodge No. 4, lays particular stress upon the effect of the laws of California upon the rights of Honigbaum in the premises, and its argument in that respect is characterized by great ingenuity and force. If it were necessary to the decision of this case to pass upon the question presented, I should be strongly inclined to hold that under section 11 of the Code of California, Honigbaum was entitled to file his appeal on the 21st of May, and that he was not precluded from perfect-

Digitized by Google

ing his appeal by his failure to file the same on the 14th of May, which was a legal holiday under and by virtue of a proclamation of the Governor of California, but I am convinced that the decision of this case can be rested upon broader grounds, and such as are more in conformity with the spirit and intent of our laws, than the technical doctrine which is so earnestly urged by the appellee. It is very plain that the law intended that an appellant should have seven days within which to perfect an appeal after notice of an intention to appeal. It is very clear, moreover, that no forfeiture of the right of appeal is contemplated, because of a failure to perfect the same at the next regular meeting succeeding the appeal, if particular cause is shown to the lodge why further time should be granted. The right of appeal in any case is sacred and should not be limited, except for the best of reasons; and especially is this true when the decision from which the appeal is taken affects not only the substantial rights of the appellant as a member of the Order, but moreover brands him as guilty of an infamous offence.

The law was clearly intended to provide against unnecessary delay in the perfection of appeals, to the end that while the evidence was fresh the record could be made up. The law contemplates that the decision from which an appeal is allowed will be rendered at a regular meeting, and that therefore the appellant would have a full week in which to perfect the appeal; otherwise, if a trial should begin at a regular meeting and by dispensation should be continued from day to day, it might end on the evening of the sixth day, and then, according to the view insisted upon by Golden Gate Lodge, the appellant would be deprived of his right of appeal, unless he could prepare immediately, or at most within a day, an appeal from the decision of the case which had required six days for trial. The answer to this suggestion, that Golden Gate Lodge would probably make is, that for good cause shown the lodge would in such a case extend the time, but circumstances might arise which would prevent the appellant from making his showing of cause at the first regular meeting, and then, according to appellant's view, his rights would be absolutely forfeited, for it is contended by appellant that the extension of time can only be granted at the meeting next succeeding the one upon which the trial was had.

In this, I think, the appellant errs, and upon two propositions I think the decision of District Grand Lodge No. 4 should be affirmed.

First. The extension of time contemplated by the law may be granted at any time, when particular cause is shown to entitle the appel-

Digitized by Google

lant to the extension. If this be not true, then the sickness of a brother or his unavoidable absence from the meeting next succeeding the one of trial, would deprive him of the sacred right of appeal, and even so if the lodge were inclined to grant him an extension of time in which to perfect the same. This I take it is a *reductio ad absurdum*.

The second proposition is as follows: the law in stating that an extension might be granted by the lodge if particular cause be shown, not only empowered the lodge to grant such an extension, but makes it the duty of the lodge so to do whenever particular cause is shown why the extension should be granted.

In other words, the general laws of the district invest the lodge with the discretion to extend the time, and the exercise of that discretion will not be reviewed ordinarily, but it is not absolute. Such a discretion, affecting as it does some of the dearest rights of the members of our Order, can not, and should not, be arbitrarily exercised, and when in the face of a showing of particular cause why an appeal was not perfected at the prescribed time, a lodge denies an extension, it is competent and proper for the Appellate Court to reverse the decision of the lodge and direct the granting of further time, which the subordinate lodge had arbitrarily refused.

If I am correct in my reasoning, it only remains to inquire whether such a showing was made to Golden Gate Lodge on the 21st of May and on July 30, 1884, as entitled him to an extension. It was represented, as is clearly shown by the record, that his counsel had been deceived as to the status of the law. It was known to the lodge that only three days elapsed between the verdict of "guilty" and the next regular meeting. It was further known that the 14th of May was a legal holiday, and that the appellant, Honigbaum, insisted upon his right to absent himself from a meeting and to be relieved of the forfeiture of his right of appeal by reason of the Governor's proclamation. I can not believe that further time could have been denied in the face of such a showing, except upon grounds that should never obtain in our Order. The spirit of ordinary fairness and brotherly love would have impelled the lodge to cheerfully extend to a brother suffering under so dark a cloud as that imposed upon him by the verdict, an opportunity to clear himself of the charge that for a life-time would stamp him as infamous and unmanly.

For these reasons I am of the opinion that the decision of Dis-

Digitized by Google

trict Grand Lodge No. 4 should be affirmed, and that Golden Gate Lodge be ordered to transmit to the District Court of District No. 4 the appeal of Honigbaum upon the merits of his case, that the same may be heard by the proper tribunals of the Order.

Before closing this opinion, I desire to say that the briefs of both the appellant and the appellee contain much matter that should have been omitted ; and especially do I refer to the criminations and recriminations of a personal nature which are contained throughout the documents. Personalities, threats and appeals to prejudice should have no place in courts of justice, and against the indulgence of such warfare the court "should set its face like flint."

DISSENTING OPINION OF M. K. COHEN, DISTRICT NO. 3.

Article X., Section 2, of the General Laws provides, that a Bro. desiring to appeal in a case in which he is a party must give notice either at the meeting when such proceeding is had, or at the next following meeting.

By virtue of this provision, even if we concede that it applies to special meetings, which point I do not decide, Brother Honigbaum was not bound to give his notice of appeal before May 14th, nor to perfect his appeal before May 21st.

In point of fact he gave the notice on May 11th, and perfected the appeal on May 21st.

This was certainly in time, and, therefore, the action of the District Grand Lodge was right, and the appeal must be dismissed.

DECISION.

A member of the appealing lodge was suspended upon trial of certain charges which have been preferred against him. He claimed to appeal from the action of his lodge, and on the day of his suspension gave notice thereof to his lodge. He failed to present his appeal at the meeting of the lodge next succeeding the one at which he gave notice. The lodge afterward refused to entertain or receive the appeal claiming that under the laws of the District it was not in time, and he had forfeited the right to appeal. Upon the points presented by the lodge and the suspended member, the Com-

Digitized by Google

mittee on Jurisprudence and Appeals of the District sustained the action of the lodge, and held that the brother had forfeited his right of appeal by lapse of time. The District Grand Lodge overruled the action of the Committee, and decided that the brother was entitled to appeal. Therefrom comes the Appeal to the Court.

The Court in session at a meeting holds that the Grand Lodge erred in overruling the action of the Committee on Judiciary and Appeals that under the laws of the District the brother had lost his right of appeal. The action of the District Grand Lodge is reversed, and that of the Committee on Jurisprudence and Appeals affirmed. Appeal sustained.

The members of the Court present were: Abrahams, P. J., Sanger, Cohen, Wolf, Kraus, Goodhart and Levi, JJ., all concurred except Levi and Cohen, who dissent.

JOSEPH ABRAHAMS.
President of the Court.

APPEALS LXX., LXXI., LXXII., LXXIII.

ESTHER LODGE NO. 159, JOACHIM LODGE NO. 181, EMANUEL LODGE NO. 103, EUPHRATES LODGE NO. 35, HIDDEKEL LODGE NO. 100, AND SIMON TUSKA LODGE NO. 192, *vs.* DISTRICT GRAND LODGE NO. 7.

GROUNDS OF APPEAL.

At a regular meeting of the Most Worthy District Grand Lodge No. 7, I. O. B. B., held at Selma, Ala., May 10th, and subsequent days, a law infringing upon the relations of Districts Nos. 2, 6 and 7, to the I. O. B. B. Orphan Asylum, at Cleveland, was enacted. The law, according to the official circular of the Grand Secretary, A. S. Myers, is in substance as follows:

Instead of collecting fifty cents per capita quarterly from each member of a lodge towards the Cleveland Orphan Asylum, $1 yearly shall be collected and forwarded to the Grand Secretary, who shall distribute the amount pro rata between the Cleveland Orphan Asylum and the New Orleans Home, according to the number of inmates

Digitized by Google

each asylum contains from the District No. 7. All laws, or part of laws heretofore enacted are hereby repealed.

Leaving the method of contributing funds towards the Home at New Orleans entirely out of the question at issue, it being no B'ne B'rith institution, in ownership or partnership, we appeal from the action of the District Grand Lodge, changing the uniform assessment heretofore imposed upon Districts Nos. 2, 6 and 7 alike, to an entirely different method of contribution.

I. Because it is unconstitutional.

Part II., Article IV., section 2 of the Constitution of the Order reads :

" District Grand Lodges shall enact all laws and regulations for their *own* government, and all general laws for the lodges in *their* District.

This organic law confers on the District Grand Lodge the power only to enact such laws as are operative within their territorial limits, and to repeal such laws of which they have been creators. But District Grand Lodge No. 7 has repealed laws which were enacted and approved by Districts Nos. 2, 6 and 7 *jointly*, and has passed a new law, which is to overthrow the equal obligations of three Districts, imposed upon all alike by legal compact and solemn declaration (see Exhibit A), without first submitting to Districts Nos. 2 and 6, or even to their own lodges for ratification.

We call the attention of the Honorable Court of Appeals to that part of the compact in which it is explicitly stated, " in furtherance of which each Grand Lodge is pledged to enact, maintain and enforce a system of *uniform assessment* in its various subordinate lodges towards the funds of the asylum. This uniform assessment (fifty cents per quarter from each member), for the exclusive use of the Cleveland Orphan Asylum, District Grand Lodge No. 7 has peremptorily set aside without having any constitutional right of authority in the premises. Whilst the Constitution Grand Lodge leaves each Grand Lodge free to support and aid as many eleemosynary institutions as they desire, it should guard the asylums sheltered under its own aegis with vigilant care, and allow no trespass upon constitutional authority and territorial limitation to deprive it of the support guaranteed by the most solemn pledges of such an integral part of the Order as Nos. 2, 6 and 7 do constitute. The appellants therefore pray that said enactment and repeal of District Grand Lodge No. 7 be de

Digitized by Google

clared null and void, that body lacking jurisdiction and constitutional authority to enact such a law.

II. *Because it is illegal.*

At a time when quite a number of lodges, assigned now to No. 7, were yet in an integral part of District No. 2, the charter of the Orphan Asylum at Cleveland imparted certain vested rights to each lodge and member thereof, for a certain consideration, *a quid pro quo* in a perfect legal form. When District No. 7 evolved from District No. 2, the new District recognized the obligations upon which these vested rights were based, and in the petition for a charter from the Constitution Grand Lodge stated:

"The proud monument of the noble character of our Order, the Orphan Asylum, is still left us, and our separation from our old mother District No. 2 does not impair in the least our standing there. (Introductory Proceedings District Grand Lodge No. 7, page 5, 1875.) By virtue of this contract, as published statistics prove beyond a doubt, equal rights were vouchsafed in the asylum to District No. 7, involving equal responsibilities and liabilities in common with the other two Districts.

The law recently passed by District Grand Lodge No. 7 repudiates this legal contract as far as uniform assessment is concerned, and must eventually and necessarily infringe upon those vested rights of lodges who were and now are parties to this contract. No legislative body can, at a subsequent or later time, infringe upon, abrogate, or annul legal contracts consummated at a former session of the same legislative organization.

In view of those facts presented, and recognizing in verity that said law is unconstitutional and illegal, and that furthermore, it is inimical to the lofty principles of Benevolence, Brotherly Love and Harmony, which binds Districts Nos. 2, 6 and 7 into one holy alliance and which is the very foundation and bulwark of our beloved Order, we hope and trust that your Honorable Court will stay the revolutionary spirit rampant in District No. 7, and sustain the appeal.

Digitized by Google

EXHIBIT A.

DECLARATION.

General Laws of Orphan Asylum, Adopted by Districts Nos. 2, 6 and 7, I. O. B. B., January and July, 1882.

It is faithfully understood and agreed upon, and hereby declared to be the true interest and meaning of all the following provisions and various laws enacted for the establishment, maintenance and support of the Orphan Asylum of Districts Nos 2, 6 and 7, I. O. B. B., and for its government and discipline, and of the laws and regulations that may hereafter be enacted in accordance therewith.

That the institution is for the use and benefit of the whole Western, Southwestern and Southern territory, now included within the Districts Nos. 2, 6 and 7, or jurisdictions that may be added thereto, and that no division or subdivision thereof, or additions thereto, shall in any way effect the equal rights of all said jurisdictions. That the management and control of said Orphan Asylum is assumed by the Order of B'ne B'rith, the founders thereof, and that each Grand Lodge formed out of any partition of the present territory of Districts Nos. 2, 6 and 7, with any addition thereto, is guaranteed equal rights in said asylum, assuming equal responsibilities and liabilities; in furtherance of which each Grand Lodge is pledged to enact and maintain a system of uniform assessment in its various subordinate lodges towards the funds of the asylum, and in pursuance of all of which, and of deliberations herein solemnly made, the following laws, rules and regulations for its government be hereby adopted.

M. SAMFIELD,
D. GENSBERGER,
S. SCHLOSS,
} *Com. Euphrates Lodge No.* 35,

S. HIRSCH,
L. GOLDSMITH,
S. SLAEGER,
} *Com. Hiddekel Lodge No.* 100.

S. L. LEE,
H. SEESSEL, SR.,
L, LANGE,
} *Com. Simon Tuska Lodge No.* 192.

L. FRANKEL,
MAT. LEVY,
BEN. HILBORN,
J. STRAUSS,
} *Com. Esther Lodge No.* 159.

Digitized by Google

L. FLEISHMAN,
S. SCHWAB, } *Com. Joachim Lodge No.* 181.

M. MOHR,
L. YOUNG,
L. WALDMAN, } *Com. Emanuel Lodge No.* 103.

Note.—As all the points are raised in the foregoing pleadings, and the opinions of the Court fully decide the several points presented, it was deemed unnecessary to publish all the respective appeals and answers.

ANSWER OF DISTRICT GRAND LODGE NO. 7.

While District Grand Lodge No. 7 does not desire to prevent inquiry into the conduct of its affairs, or seek to avoid discussion of the merits of the question involved in this appeal, yet, in the interest of law and orderly procedure, it is constrained to submit that this Honorable Court is without jurisdiction in the premises.

As between District Grand Lodge No. 7 and the appellants, the matter here presented is purely one of local concern, and not subject to be reviewed on the complaint of the subordinate lodges.

If the action of this respondent is in violation of any agreement with any other District Grand Lodges, then it remains for *them* to indicate wherein they have been aggrieved. In the absence of any expression of dissent, it cannot be presumed to exist.

It must be conceded that if the legislation now sought to be annulled was the result of the common agreement of the several District Grand Lodges concerned, no subordinate lodge could be heard in opposition.

These subordinate lodges are simply creations of the District Grand Lodge, with no powers except those conferred by the authors of their being and the organic law. They cannot contract with each other, cannot assume obligations, or offer allegiance to any Grand Lodge other than the one from which they received their commissions.

The official relations between the several District Grand Lodges originated and are maintained by *them* alone, and a lodge can no more influence or control these relations than can one of the States of the Union hamper or set aside the treaties of the Federal Government.

To permit a subordinate lodge to arrest, by appeal or otherwise, the action of the District Grand Lodge in the formation or dissolution of contracts, or other engagements with sister organizations of

Digitized by Google

like station and power, in matters sanctioned by the supreme law, would be subversive of all proper discipline, and effectually prevent the cordial co-operation of the several District Grand Lodges in all measures for the general advancement of the Order. It seems, therefore, evident that if District Grand Lodges Nos. 2, 6 and 7, should decide to dissolve or alter the existing arrangements for the aid of the Cleveland Orphan Asylum, no lodge could interfere, and, until either District Grand Lodge No. 2, or District Grand Lodge No. 6 has invoked the jurisdiction of this Court, the action of District Grand Lodge No. 7 cannot be questioned.

If respondent is mistaken in the view announced, then it respectfully urges that the appeal is without merit.

It is a matter of grave doubt whether any tribunal of the Order can regulate the compacts or intervene in the controversies of the District Grand Lodges, when *no* provision of the organic law has been violated.

Appeals are always considered purely statutory, and our judiciary should not attempt to exercise a restraining influence over the legislation of sovereign Grand Lodges, unless the *right* to do so is clearly established.

It devolves upon the appellants to specifically show wherein District No. 7 has transcended its prerogatives or acted in defiance of the law.

If, however, jurisdiction is maintained, then the question presented is one of simple justice. The obligation to pay dues should cease when the benefit terminates. The arrangement between the District Grand Lodges was based upon an equality of privileges and rights, and when this is not recognized, the power to exact tribute is exhausted.

In associations like ours, where dues are voluntary, and changes in membership continuous, indefinite and perpetual, obligations cannot always be sanctioned.

District Grand Lodge No. 7, in seeking to apportion its contribution in the manner disclosed in this legislation, has not, as it is obvious, lightened the burden of taxation imposed upon the subordinate lodges, but in a spirit of fairness and equity has attempted to bestow the *highest* compensation where the *largest* measure of relief is returned.

If we permit, for the sake of an argument, the assumption that

Digitized by Google

District Grand Dodge No. 7 should be *wholly* excluded from any future participation in the benefits afforded by the Cleveland Orphan Asylum, could the payment of dues be enforced? If not, and justice dictates an answer in the negative, then a diminution in the privileges promised should warrant a corresponding reduction in the payments to be made.

In support of the action of District Grand Lodge No. 7, the reports of its Committee on Cleveland Orphan Asylum and Laws are appended.

MAJORITY REPORT OF COMMITTEE ON CLEVELAND ORPHAN ASYLUM.

To the Officers and Members of District Grand Lodge No. 7, I. O. B. B.

BRETHREN,—Your Special Committee on Cleveland and New Orleans Orphan Asylum having carefully considered the position which this District has held, and does now hold, toward said institutions, beg leave to report:

1. According to the latest reports obtained, we find that the Cleveland Orphan Asylum now cares for 33 orphans from our District, and the New Orleans Home shelters 58.

2. That, in view of these facts, we deem it equitable and just towards these institutions, in which we are so deeply interested, that our contributions to these should be based upon the actual benefit received, and should be divided between them upon said basis.

We, therefore, beg leave to recommend:

1. That the dues to our Orphan Asylum shall be $4 per annum, as heretofore, payable in quarterly installments.

2. That the contribution to each asylum shall be such a pro rata share of the total amount collected as the number of orphans at each institution shall bear to such sum.

3. That it shall be the duty of the secretary of this District Grand Lodge to ascertain from the superintendent of each asylum, at the end of each quarter, the exact number of children cared for by them during said quarter.

4. Upon receipt of such information the secretary shall remit to each asylum such a pro rata share of the amount collected, as each institution shall be entitled to upon said basis.

5. We further recommend that this report be referred to the

Digitized by Google

Committee on Laws, with the direction to frame such a law as will carry its provisions and recommendations into immediate practice.

Respectfully submitted in B., B., L. and H.,

L. FRANKEL,
MAX. LEVY,
BEN HILBORN,
I. STRAUSS,
} *Committee.*

REPORT OF COMMITTEE ON LAWS.

Your Committee on Laws respectfully recommend that the change in our Constitution relative to our contribution to the Cleveland Orphan Asylum be communicated by the secretary to District Grand Lodges Nos. 2 and 6, with the respectful request that the same be accepted by them in the spirit in which it was tendered.

Fraternally submitted by

DISTRICT GRAND LODGE No. 7.

REPLICATION OF APPELLANTS.

The answer of D. G. L. No. 7 is so evasive in its nature and so untenable in its logic, that we discover only one point of argument worthy of replication—the question of jurisdiction in the premises. Divested of the sophistry thrown around the argument by appellees it leaves the grounds for appeal untouched, and even strengthens our plea.

I. An appeal is the act by which a decision is brought for review from an inferior to a superior court. According to the organic law of the Order, a lodge has a legitimate right to appeal from a decision or a law passed by a Grand Lodge, if they deem said decision or law illegal, unconstitutional, or a violation of the ethical principles of the order. That the law passed at the session of Grand Lodge No. 7, at Selma, Ala., is of that nature, has been conclusively shown in the appeal above, and need not be repeated here. This right to appeal is in its force, by the augmented fact that the law passed was not submitted to the lodges for ratification.

II. That this Honorable Court of Appeals has full jurisdiction in the premises cannot be questioned. The appellants feel aggrieved that an illegal, unconstitutional and disloyal act has been passed by the District Grand Lodge No. 7. Who else can have jurisdiction to

Digitized by Google

decide the validity of the impeachment, if not the Honorable Court of Appeals?

The very first declaration made in the Constitution from which the Honorable Court of Appeals derives its powers, reads that its mission is "providing for, protecting and assisting the widow and the orphan."

The Orphan Asylum at Cleveland is a B'ne B'rith institution, acknowledged as such and supported as such. Your Honorable Court has full jurisdiction in the premises. It had jurisdiction to decide appeals in controversies arising from the erection of the Statue of Liberty. It has still fuller jurisdiction as to the permanent institutions of the Order or part thereof, especially when violation of contract is involved. In this case an institution founded under the auspices of three I. O. B. B. Districts, whose very existence rests upon mutual, solemn pledges, which were engrafted upon charters and constitutions, is deprived of its support, guaranteed by a legal contract, and some of its revenues diverted from their real purpose. Your Honorable Court is the only power authorized to sit as judges in such a controversy arising between subordinate lodges and their Grand Lodge. No redress can be had by any other method.

We present this appeal simply upon its merits, with full confidence in your decision, and though there is no precedent in the record of appeals to serve as an analogy, the principles of justice, integrity, loyalty and charity are higher authorities to reverse the hasty and unjust legislation of deliberative bodies.

Fraternally submitted.

M. SAMFIELD,
S. SCHLOSS,
D. GENSBERGER, } *Com. Euphrates Lodge No.* 35.

S. HIRSCH,
L. GOLDSMITH,
S. SLAEGER, } *Com. Hiddekel Lodge No.* 100.

S. L. LEE,
H. SEESSEL, SR.,
L. LANGE, } *Com. Simon Tuska Lodge No.* 192.

And others.

Digitized by Google

OPINIONS.

JOSEPH ABRAHAM, P. J.

The above-stated lodges complain and appeal against the action of the District Grand Lodge in the passage of an amendment to its constitution hereafter stated. The respondent has filed answers to the several appeals, which are, in all the cases, identical; the issue thus made is the same in all, and may be considered and adjudged together. The amendment, which is the subject of appeal, was passed at the May session, 1885, of the District Grand Lodge, at its meeting in Selma, Ala., and is as follows:

Sec. 1. For the purpose of assisting in the maintenance and support of the Orphan Asylum of District Grand Lodge No. 2, 6 and 7 I. O. B. B., located at Cleveland, O., and also for the maintenance of the Widows' and Orphans' Home of New Orleans, La., there shall be created a fund to be known as the Orphan Asylum Fund of District Grand Lodge No. 7.

Sec. 2. To be changed from 50 cents to a $1.

Sec. 3. To be changed from 50 cents to a $1. A new section to be formed as Sec. 4.

The Secretary of District Grand Lodge No. 7 shall ascertain from the respective superintendents of the Cleveland and New Orleans Asylums, at the end of each and every quarter, the number of orphans under their respective care belonging to District Grand Lodge No. 7.

Sec. 5. Upon receipt of the information above referred to, the Secretary shall at once prorate the amount then in his possession from the funds, as per Sec. 2, among the two institutions in accordance with the number of children cared for in said asylums, from the lodges in this district.

Sec. 6. All laws, and parts of laws, heretofore enacted on this subject be and are hereby repealed.

It is contended by appellants that this amendment is invalid by reason of the fact, that under a contract made and entered into by and between the Districts 2, 6, and 7 the respondents agreed that each and every member of the lodges in District No. 7 should pay annually two dollars to the Orphan Asylum situate at Cleveland, within the territorial limit of District No. 2; that the amendments passed by District No. 7 is a violation of this contract, which neither

Digitized by Google

district had the power to annul without the joint act and consent of all. This seems to be the real question for decision. We are answered by the respondent, that this is a matter of pure local concern, and that we have no jurisdiction in the premises. The position assumed is entirely untenable. Granting the amendment to be "purely local," that would not oust us of jurisdiction. Much the larger number of cases which have been adjudged by this Court have been upon questions strictly local. Beth Zur Lodge No. 84, *vs.* District Grand Lodge No. 7., Appeal XV.; Simon Tuska Lodge No. 192, *vs.* District Grand Lodge No. 7., Appeal XVI.; A. Holtzman *vs.* District Grand Lodge, Appeal XVII. The reports are full of local cases decided by this Court heretofore without question as to jurisdiction.

The next proposition in the respondent's answer is, that it is for the other districts to dissent, and that in the absence of an expression of a dissent it cannot be presumed. The other districts not being parties herein no presumption can be assumed as to them; it is not even hinted that they have assented to the change made in the laws, and if they had, it would be surely urged as a defence hereto. We concede that if the three parties interested—to wit, Districts 2, 6 and 7, should mutually agree to put an end to, or change the contract existing between them; that they might lawfully do; but the complaint here made is, that one district alone (the respondent) has attempted by legislation to change the existing agreement, and this is not denied. It is claimed by respondents that this Court is limited in its functions to decide only when the organic law has been violated. The same claim was made in the case of Norden, *et al*, *vs.* District Grand Lodge No. 6, Appeal XLVI., and the Court there held; "It never was before suggested that we were limited in our decision to questions arising out of the organic laws. We find no law to warrant such claim, and we hold expressly to the contrary." This clearly disposes of that point. The right to appeal is conferred on lodges by the organic laws of the Order, Sec. 4, Art. III., Part 3; thus the objection raised by respondent on this ground is certainly valueless. The technical objections disposed of we come to the main point, the merits of the case.

The respondents admit the existence and the object of the contract made part of appellant's appeal, and annexed thereto in manner and form as pleaded. The laws adopted by District No. 7, at Vicksburg, in January, 1874, as detailed in the appeal of Montgomery

Digitized by Google

Lodge, to which we here refer, were in furtherance of the implied duty of the District, as a part of the geographical limit of the District No. 2, and was an acknowledgment of the binding force of the original declaration, that each Grand Lodge formed out of the prescent territory of District Grand Lodge No. 2, with any additions thereto, is guaranteed equal right in said asylum, assuming equal responsibility and liabilities. In furtherance of which each Grand Lodge is pledged to enact, maintain and enforce a system of UNIFORM ASSESSMENT in its various subordinate lodges towards the funds of the asylum. It is notable here that the assessment must be uniform, not variable The action of the District No. 2, and the subsequent action of District No. 7, assenting thereto, make a valid and subsisting contract, to which all parties are bound. It confessedly seeks to change that contract by its own volition. It defends its action by proposing to send its orphans to New Orleans instead of Cleveland as a matter of more convenience, thus to reduce both the number at Cleveland and *pro rata* to reduce its subscription ; the ultimate result of this action may lead to a failure to pay anything to the latter asylum.

In the reports of the respondent which are forwarded to us, we find that District No. 7, at the same meeting when the alleged amendment was passed, elected their trustee of the Orphan Asylum at Cleveland for four years, thus taking part in its government. The right of representation. and the duty of subscription, are co-relative. District No. 7 claims its full share of representation and government of the Cleveland Asylum, which is given to it by the same contract which requires it to pay two dollars per annum for each of its members, and, claiming its rights, refuses to perform its duties. The presumed assumption, that if District No. 7 were wholly deprived of its benefits in the asylum is an argument not relevant, for we are not aware of any exclusion from the benefits of the asylum except such as are the voluntary acts of the respondent itself. Upon the conclusions arrived at, it follows necessarily that the Grand Lodge, No. 7, is bound to collect and pay to the Orphan Asylum at Cleveland two dollars per annum for each member of the subordinate lodges within its jurisdiction. I deem it proper to say that the appeals in these cases were taken and filed long before the adoption of the existing Code of Procedure, and therefore are not subject to its provision.

Appeal sustained and judgment awarded.

Digitized by Google

ADOLPH L. SANGER, NO. 1.

Considering these appeals together, for they involve the same question, I am of the opinion that the grounds taken by the appellant are correct.

The contract entered into by the defendant, whereby each of the Grand Lodges interested became pledged to enact, maintain, and enforce a system of uniform assessment towards the funds of the Cleveland Orphan Asylum is one which the defendant cannot avoid and set aside without infringing upon the vested rights of lodges who were parties to the contract.

I do not think that either of the District Grand Lodges, parties to this contract, could annul its provisions without being thereunto lawfully authorized by the lodges in the District, and District No. 7, in assuming the right to do this without such authority, cannot be upheld in its action.

The claim that no subordinate lodge has the right to complain, is not well founded, for the matter is one in which all the lodges in the District are interested, and the same right exists in a lodge to interpose its objection to an unlawful act of its District, and to appeal from such action as exists in any member of a community or of a corporation, to prevent a violation of law by its duly constituted authorities. It may be that the point urged by the respondent, that the modification of its contract was equitable, but for all that, its right to modify depends upon the sanction of those who entrusted them with the original authority to act.

I am, therefore, in favor of sustaining the appeals.

J. SHRODER, DISTRICT NO. 2.

These cases involve the same question, and may be considered together. The facts essential to a decision can be found substantially set forth in the several records and in the Appendix to the 1879 Report of the Trustees of the Cleveland Orphan Asylum.

These facts show that the charity known as the Cleveland Orphan Asylum was founded by D. G. L. No. 2, under whose auspices the trust funds had been accumulated. Before founding the asylum a declaration, with laws, was made by it, whereby it proposed to admit to a participation in its rights, titles and franchises connected with this charity, any and all District Grand Lodges that might

Digitized by Google

thereafter be organized in the territory then subject to its jurisdiction. But this offer was conditioned upon the District Grand Lodge's making pledges and agreeing to abide by and enforce the laws adopted with this declaration, and all amendments to them adopted in accordance with said laws.

District G. L. No. 6 and D. G. L. No. 7 accepted this offer, and thereby became bound in law and equity to fulfil its conditions. The right which the D. G. L. No. 2 thus agreed to share with its sister District Grand Lodges were such as it was entitled to as founder of this charity.

It will answer no useful purpose to enter upon a disquisition of what these rights were. For the law applicable to this subject it will suffice to refer to the case of Dartmouth College *vs.* Woodward, in 4th Wheaton U. S. Supreme Court Reports, and to the argument of Mr. Webster in that case, as given in Whipple's edition of his speeches.

As founder, the D. G. L. No. 2 had the legal title originally to all the asylum property, and had the right to lay down the laws for its government and its support. The former being its property rights, it vested in itself as trustee, as far as it related to the site of the asylum, and as far as it related to personal property in possession, investments and securities, it vested in trustees severally elected by the several constituent Grand Lodges, including the appellee. The latter right, known in law as visitatorial, it portioned out, part to a mixed Board of Trustees and Directors, and the main and controlling part to the Grand Lodges, acting by the concurrent vote of any two of them.

It is easily seen that the appellee, still retaining its proprietary and visitatorial rights and franchises, is attempting, by means of the Selma amendments complained of, to exercise a visitatorial power respecting the maintenance of the charity, which is in conflict with the intention of the founder, in violation of the convention witnessed by the declaration and law, and their acceptance, and against good conscience.

The justice of this conclusion will be made still more apparent by bringing forward the striking fact that, upon faith of this convention between these D. G. Lodges, large sums of money have been subscribed, donated, and otherwise paid to this charity trust by individuals, societies and communities.

Digitized by Google

Under circumstances as presented by those appeals a Court of Chancery would use its powers to correct and prevent the wrongful exercise of visitatorial powers as is here attempted by the Selma amendment.

Green *vs.* Rutherford, 1 Ves. 472; Attorney General *vs.* Foundling Hospital, 2 Ves. p. 47.

As these amendments are, in my opinion, unlawful and contrary to sound principles of equity, they must be held to be invalid.

The appellee, however, claims that this Court cannot entertain jurisdiction of the cause, since the adoption of the Selema amendments is not a violation of the organic law. The executive certificate of April 15th, 1885, makes the preamble a part of the organic law. Inasmuch as any case within the spirit, though not within the strict letter of the instrument, comes within its provisions, and as the act of appellee here complained of is found to be invalid, for the reasons stated in this opinion, there can be no doubt that this act is in violation of the spirit and intent of the organic law, as interpreted by means of the preamble.

It is also argued that the lodge is not the proper party to make this appeal; that the wrong, if any, is done to the sister Grand Lodge. The lodge is compelled to regard the Selma amendment valid until authoritatively set aside; it cannot resist a disobedience to the law before its own version of its validity. Such a course, if tolerated, would produce anarchy within the Order. Obligated, as it is, to collect these assessments as regular dues, its interest becomes direct, and entitles it to a hearing, and therefore makes it a proper party to the appeal

These amendments, including the repealing clause, being invalid, the original law remains in full force, and for their enforcement the loyalty of the appellee is to be relied on.

The judgment of the Court ought to be:

1st. That the appeal is sustained.

2d. That the amendments (with the repealing clause) complained of are invalid, and therefore void, and that they are hereby set aside as of no force and effect.

M. K. COHEN, DISTRICT NO. 3.

The question raised by these appeals are two in number:

1st. Whether the appellants have any standing in this Court.

Digitized by Google

2d. Whether the law passed in May last at Selma by D. G. L. No. 7 and now appealed from is valid.

As to the first question, we entertain no doubt. The appellants complain that a matter in which they all have a direct interest was passed upon by the law in question, and the appellees do not deny that the appellants have a substantial interest in the matter. They aver, however, that the proper *legal* parties are the two District Grand Lodges whose rights are said to be violated. This is taking altogether too technical a view of the question. We cannot in a tribunal like ours stop to make distinctions between legal and equitable plaintiffs. Whoever is affected by an act of a subordinate tribunal, may come to us for redress, and it will be no answer to say, that another person could also have come for the same purpose. Besides, we are of opinion that every member of every lodge has a direct and personal interest in maintaining inviolate the honor of his lodge and his District, and if he believes that any action has been taken which tends to imperil others, he must be heard to say so in this Court.

As to the second question :

It appears from the appeal, that Districts Nos. 2, 6 and 7, in January and July, 1882, mutually adopted laws, in the nature of a contract with each other, whereby it was provided, that the Cleveland Orphan Asylum was to be for the use and benefit of the whole west, southwest and south, and that no division, or subdivision, or addition of territory should affect the equal rights of all said jurisdictions.

It appears further, that the said parties at the same time pledged themselves to equal responsibilities and liabilities, for which purpose each grand lodge pledged itself to enact and maintain a system of uniform assessment in its various subordinate lodges towards the funds of the asylum.

None of these allegations are denied by the appellee, nor is any evidence of any kind produced to show that the other District Grand Lodges have in any manner sought to evade their responsibility or to abridge any rights of the appellees. Were such a question presented we should be compelled to consider the matter on the broadest basis of equity, since we could not permit any technicality to be invoked to compel the taxation of our brethren when the benefits to be derived from such taxation were inequitably withdrawn or abridged.

That however is not this case. For some reason, laudable, no

Digitized by Google

doubt, and entirely satisfactory to D. G. L. No. 7, a home in New Orleans is to be supported. So worthy a purpose deserves every encouragement and assistance. Under no circumstances, however, can we permit breach of contract and violation of faith. For this, even the mantle of charity is too scanty.

And, as the case stands before us, we can see nothing in it but an endeavor on the part of one of these contracting parties to end the contract without the assent of the other two. Such a proceeding is in every aspect unlawful.

Appeals sustained.

J. GREENEBAUM DISTRICT NO. 4.

These four cases involve the question of the validity of a law of the District Grand Lodge No. 7 passed at its session of 1885 in relation to the Cleveland Orphan Asylum.

It appears that in 1868 District Grand Lodge No. 2 established an Orphan Asylum at Cleveland, Ohio. The territory of District No. 2 then included the respondent District and upon the territorial division District 7 continued its contribution to the Asylum upon the plan and rate prescribed by District 2, at the time of the institution of the Asylum and enforced such payment by a law passed in 1874.

The record before me contains a compact between Districts 2 and 7 entered into in 1872 whereby it was agreed that the rate then established should be the basis of contribution between the two District Grand bodies and to which compact District No. 6, also formerly a part of District 2, became a party.

In 1885, the respondent changed its law establishing a different rate of contribution and annulling the pro rata agreed upon by the compact.

The appellants complain of this latter action and appeal to this Court. As preliminary to the merits of the question it is forcibly argued that the Court has no jurisdiction to determine the question, unless the other Districts complain and there is much in the argument which commands consideration. Ordinarily a Court will not decide abstract questions of law. There must be before it an actual cause and parties to it.

But under sec. 3 of Article III, Part III of the Constitution an appeal lies to this Court from the action of the District Grand Lodge and under sec. 4 such appeal may be taken by two members of the

Digitized by Google

District Grand Lodge or by any lodge within its jurisdiction or by a District Grand Lodge who may be affected.

Now if the action of the District Grand Lodge was illegal then the appeal must be entertained, and any lodge within the District, and perhaps any member of the District, will have the right to review such action in this Court. Such is the letter of the law and I cannot find good grounds for a refusal to hear these appeals on the merits. Instead of waiting until Districts Nos. 2 and 6 complain of the action, the appellants who are directly interested in seeing the compact carried out, must have a right to appeal.

On the merits it is clear that the law of 1885 is in violation of the compact, and without the consent of all the parties to it, District No. 7 cannot annul it. It requires the consent of the other Districts and to allow District No. 7 without such consent to violate it would be to hold the compact void.

This I cannot do. If the compact is too onerous the Districts may alter it, but until altered by joint consent no one of them has the right to enact a law impairing the compact.

It follows that the law is void and the appeal must be sustained.

S. WOLF DISTRICT NO. 5.

The above appeals being against the same action of the same Grand Lodge, may be appropriately consolidated, for consideration of the principles involved. Before proceeding, it is, however, proper to remark, that if it stood alone, I should be inclined to dismiss without prejudice the joint appeal presented, as of Euphrates, Hiddekel and Simon Tuska Lodges, for the reason that it does not comply with Sect. 1, Part II., Division 2 of the Code. The appeal is signed by three committees. It is not certified by the Secretary and President of the respective lodges. It is not shown that such officers refused to sign said appeal. Thus we have no evidence before us whether or not the respective lodges authorized the taking of an appeal to this Court.

The appeal of Emanuel Lodge is open to the same objection in part. It bears the attest of the Secretary under seal, but it is not signed by the President, as required by the Code, and the absence of his signature is unexplained.

Digitized by Google

II.

The appeals of Joachim Lodge and Esther Lodge comply with the requirements of the code. In each case the President and Secretary, under seal, certifying in due form that the appeal forwarded is a true copy from the minutes of lodge proceedings on August 30, 1885.

It is in no captious spirit that I place on record my opinion on the above point, although not raised by appellees. Mere complaints or statements of grievances cannot be entertained, our powers are limited to giving judicial decisions on actions appealed from in due form.

III.

Appellants insist that District Grand Lodge No. 7 erred in this, that it violated its obligations to the members of its several subordinate lodges and its compact with District Grand Lodges Nos. 2 and 6, by striking from its statutes the law which provided for uniform contributions from all the members of all the subordinate lodges of its jurisdiction, and the payment thereof in full towards the maintenance of the Cleveland Orphan Asylum.

Further, in substituting for the repealed sections a new law obliging the members of its subordinate lodges to continue their same gross payments, but disposing of said sums from time to time, in proportion to the number of inmates that may be quarterly reported to the secretary of District No, 7 within said asylum as belonging to said District: The record shows that the agreement between the brotherhoods (within designated territories) is, that orphans shall be admitted into the asylum irrespective of being children of members or non-members of the I. O. B. B., and I fail to understand what is meant in the contested amendment by the sentence, "belonging to District No. 7." Equally ambiguous is the closing sentence of new sect. 5 on the same subject.

Whether the new law refers alone to orphans who are children of deceased members of District No. 7, and for those alone payment is to be made, is left to inference. The essence of the original law, and the contract now attempted to be abrogated by one party thereto, is plainly set out in the record, concluding after certain recitals as follows:

"In furtherance of which each grand lodge is pledged to enact

Digitized by Google

and maintain a system of *uniform* assessments in its various subordinate lodges *towards* the funds of the asylum."

To maintain a system of uniform assessments on the members of subordinate lodges, and not to use all of the same "towards the funds of the asylum," is manifestly illegal.

Certainly, the paragraph quoted cannot be construed as permitting variable payments—creating an elastic contribution to expand and contract quarterly according to the interpretation placed by a secretary for the time being upon the words, "an orphan under their care belonging to District No. 7."

If one of the grand lodges can periodically divide up collections of special uniform assessments, others can devote parts thereof to divers and diverse purposes within and without its territorial boundaries, and outside of the peculiar province of the Order.

By exhibit in the record of Joachim and Esther Lodges, it appears that each District is guaranteed equal rights in said asylum, assuming equal responsibilities and liabilities "in furtherance of which," etc. (See citation, ante.) But now it is attempted to retain equal rights, but to destroy the mutuality of obligations.

Construction might be placed on the new law, as limiting the right of the District to send wards to the institution, who were children of members of the Order in District No. 7 at the time of the death of the parent. Or, to grant the right to those who may for many years have removed from the special jurisdiction, and who may or may not have affiliated with a lodge of another District, or to include or inhibit children of former residents (non-members of the Order) of the territory of said District. Complex questions relative to domicile, residence and sojourning, would certainly arise and the new law afford no satisfactory solution thereof.

To leave such and kindred matters continuously and periodically solely to the discretion of a secretary, would be fraught with evil consequences, and impair the broad spirit of charity that is the very life of the original compact between the Grand Lodges. It needs also no argument to show how the new law might be made to militate against the rights and privileges of District Grand Lodge No. 7, by the officials of the asylum classifying certain inmates as "belonging to District No. 7," against the contention of the Secretary of said District.

Digitized by Google

IV.

I hold that the new law is an enactment, against which either individual members or subordinate lodges have the right to appeal to this Court.

District Grand Lodge No. 7, answering the appeals, maintains that we have no jurisdiction in the premises, alleging that the sole parties in interest are the three co-ordinate Grand Lodges, and that no appeal lies if not taken by one of them.

It is a strange doctrine to announce, that members of subordinate lodges and said lodges have no right to appeal against the action of their grand lodge in "any matter," in view of Sects. 3 and 4, Art. III., title, Court of Appeals.

But, without this, I have never known the right of appeal from the action of a grand lodge to be questioned. "It is the protection against illegal actions of the lodges and District Grand Lodges." "To appeal is the inalienable right of a member" (Ulman's Digest, p. 623.) "The right of appeal of a subordinate lodge is clearly allowed, in all matters in which she or any of her members are interested."

Abraham *et al vs.* District Grand Lodge No. 2, U. D., p. 13.

The appeals of Joachim Lodge No. 181, Esther Lodge No. 159 and others consolidated therewith must be sustained.

ADOLPH KRAUS, DISTRICT NO. 6.

District Grand Lodges Nos. 2, 6 and 7 have heretofore jointly sustained an Orphan Asylum, located at Cleveland. In 1882 the General Laws of the Orphan Asylum were revised by the representatives of the three Districts, and among others the following amendment was adopted :

"The revenue of the Orphan Asylum is obtained from the regular dues of all members of the Districts Nos. 2, 6 and 7, which dues shall be fifty cents per quarter for *each member*, payable in accordance with the laws of their respective Grand Lodges."

This action, it appears, was afterwards approved by the respective Grand Lodges, and by District Grand Lodge No. 7, at its regular meeting held in Galveston, Texas. At the last convention of District Grand Lodge No. 7, held in Selma, Alabama, the District Grand Lodge adopted a law creating a fund to be known as "The Orphan

Digitized by Google

Asylum Fund of District No. 7," whereby they taxed each member, instead of fifty cents, the sum of one dollar, and further ordered that the secretary of District No. 7 shall ascertain from the respective superintendents of the Cleveland and the New Orleans Asylums, at the end of each and every quarter, the number of orphans under their respective care belonging to District Grand Lodge No. 7, and that, upon receipt of the information above referred to, the Secretary shall at once prorate the amount then in his possession from the funds, as per sec. 2, among the two institutions, in accordance with the number of children cared for in said asylum from the lodges in this District, and repealing all former laws in the District regarding contributions to the Orphan Asylum in Cleveland.

From this latter action the Emanuel Lodge appealed to this Court.

Appellee denies the jurisdiction of the Court, on the ground that the matter in dispute is purely one of local concern, and not subject to be reviewed on the complaint of subordinate lodges, and that if any one has a right to appeal, it is only the District Grand Lodges Nos. 2 and 6.

It is my opinion that Emanuel Lodge has a right to appeal from this action of the District Grand Lodge, and that this Court has jurisdiction, just as much as though the District Grand Lodge would attempt to take away the charter of the lodge or its funds without cause or reason. The action of the District Grand Lodge No. 7 may possibly deprive Emanuel Lodge of the right to send the orphans of its deceased members to the Cleveland Orphan Asylum, and this is surely a valuable right.

The lodge has a right to appeal and ascertain whether it was properly deprived of this right. Any citizen may have the constitutionality of a law affecting his rights tested, and so has any lodge the right to have the legality of the action of the District Grand Lodge, which is binding upon the lodge until reversed by the Court of Appeals, tested.

It appears to me clear that the action of District Grand Lodge No. 7, complained of, has no validity unless approved by the District Grand Lodges Nos. 2 and 6. The three District Grand Lodges named have entered into a contract which is binding upon all of them; and among other things agreed to is, that each District Grand Lodge

Digitized by Google

shall contribute to the Cleveland Orphan Asylum for each member within its District the sum of fifty cents per quarter.

It must appear clear to every one that without the consent of the other two Grand Lodges, District Grand Lodge No. 7 cannot vitiate an old, and arbitrarily make a new, contract.

District Grand Lodge No. 7 will not be permitted to say: "It is true that we agreed to pay to the general fund the sum of fifty cents for each member of our District, but now it seems that we are not getting as much of a return for our money as expected, and therefore we will make a contract to suit ourselves, whether it suits you or not, and instead of paying fifty cents, as we contracted for, we will pay a certain sum which will vary at each quarter, according to the number of our children in the Orphan Asylum.

"It does not need any argument, or the citation of authorities, to show that a contract cannot be altered in such a manner. The appeal of Emanuel is therefore sustained. In the other appeals the same question is raised, and they will be controlled by this decision."

DISSENTING OPINION OF LEO N. LEVI, DISTRICT NO. 7.

From the record before us, it would appear that, in 1868, District No. 2. I. O. B. B., founded an Orphan Asylum in the city of Cleveland, Ohio, for the care and protection of Jewish orphans within certain territorial limits. The support of the institution was provided for by a *per capita* assessment upon all members in said district of fifty cents per quarter year. In 1874 District Grand Lodge No. 7 was organized in a portion of the territory, and with a number of the lodges formerly belonging to District No. 2. The asylum thenceforth, in accordance with provisions made at its inception, became the joint property and charge of Districts No. 2, 6 and 7, and each of said districts undertook to provide for the maintenance of the institution by contributing for the use of the asylum trustees a *per capita* tax of fifty cents per quarter. The obligations of the members, in respect of the asylum assessment, were direct to the subordinate lodges, and through them to the Grand Lodges, and no priority existed as exists between individual members and the asylum, or between individual members of one Grand Lodge and the members or organization of any other. On the con-

Digitized by Google

trary, the agreement to provide for the support of the asylum, as above recited, was directly made among the three districts, and the liabilities and rights growing out of the agreement pertain to the District as such. A failure of any member to pay his assessment would not affect the asylum *until the defaulting brother ceased to be a member;* for so long as he enjoyed the privileges of membership his Grand Lodge was liable to the other two, and through them to the asylum for his contribution. No right of action of any nature existed, or exists, in favor of the asylum or either of the two sister Districts against the defaulting members of the third. He is responsible only to his own District, and enjoys immunity from molestation from any other quarter.

This Court will take judicial cognizance of the fact that each of the said three Districts is a corporation created under the laws of the States in which they are respectively domiciled, with power to sue and be sued, and with such other privileges and limitations as usually pertain to corporations of like character.

Such being the status of the agreement among the three Districts, and the relations between them severally and the asylum, District No. 7, at a regular convention held at Selma on May, 1885, for reasons stated in the report of a special committee on the Cleveland Orphan Asylum, passed a law under and by virtue of which the contributions of District Grand Lodge No. 7 to the asylum was materially diminished. The new law provides that individual members shall pay to the Grand Lodge No. 7 the sums for the support of Jewish orphans, as aforetime, but that the Grand Lodge, instead of sending to the Cleveland Orphan Asylum the fixed sum of $2 per annum per member, should, at the end of each quarter, apportion the orphan contributions between said asylum and the New Orleans Jewish Widows' and Orphans' Home in the proportion of the number of orphans in said asylums from District No. 7.

It will be observed that there is no diminution of the fund, but only an appropriation of it by District Grand Lodge No. 7 in a manner that operates to the prejudice of the Cleveland Asylum, the number of orphans in that asylum from District No. 7 being only about one-half of the orphans from District No. 7 in the New Orleans Home. From the action of District Grand Lodge No. 7 in passing this law, and from the alleged misappropriation of the

Digitized by Google

orphans' fund, as aforesaid, five of the lodges in District No. 7, in three separate proceedings, appeal to this Court upon the grounds:

1st. That the action of District Grand Lodge No. 7 is unconstitutional.

2d. That it is illegal.

The identical questions being involved in each of the appeals, I shall consider them together.

To the appeals District Grand Lodge No. 7 files an exception or demurrer, alleging improper parties plaintiff, and denies the right of appellants to call in question its action in the premises. And answering to the merits, if need be, the appellee contends that, for reasons stated it has the right in law and equity to recede from the original compact with Districts No. 2 and 6. No question is made as to the jurisdiction of the Court as to the subject-matter of controversy by appellee, and were it not a fundamental question I should not feel called on to consider it. Going, as it does, however, to the foundation of the action, without reference to the parties, I deem it proper to discuss it here.

The organic law of our Order does not define the jurisdiction of this Court. If it did, I take it, the widest scope that could be given to that jurisdiction, without trenching upon the laws of the land, would only embrace the laws of the Order. No wrong that does not contravene a law of the Order, or some subordinate portion thereof, is cognizable by the Courts as punishable by the executive branch of our organization. In other words, there must be some infraction of a B'nē B'rīth law or principle as a pre-requisite for any adjudication by this or any other judicial tribunal of the Order. The law contravened may be local and restricted in its operation, yet, if it be a law of the Order, any district or lodge, no breach could, and should, be passed upon in a proper case by a District Court or the Court of Appeals. But a law or principle, howsoever comprehensive its scope, that is not peculiarly a B'nē B'rīth regulation, is one with which we have nothing to do. It is the law of the land and of natural justice that every man should pay his debts. A failure to do so is always a technical wrong; a refusal to do so is a moral wrong. But a refusal by a B'nē B'rīth to pay a debt honestly due is not such a wrong as can be passed upon by B'nē B'rīth Courts, except as the basis of a charge of *con-*

Digitized by Google

duct unbecoming a man and a B'ne Brith. On the other hand, the mere failure to pay dues to a lodge, howsoever innocent it might be, would render the defaulting member liable to the prescribed pains and penalties by the adjudication of our judicial tribunals. A Grand Lodge cannot be tried like an individual upon charges, and the presumption runs so strongly in favor of the motives of a great integral part of the Order, that no laws have been enacted with reference to the moral conduct of Grand Lodges. It is true that any radical violation of any law of the Order by a Grand Lodge subjects such Grand Lodge to the liability to a forfeiture of its charter (Sec. 3, Art. 1, Part IV., Con.); but beyond this there is no provision for the control of Grand Lodges.

Applying these principles to the present case, and ignoring, for the time being, the question of parties, let us consider the right of this Court to pass upon the question at bar. Let us suppose that instead of five subordinate lodges of District No. 7, the Grand Lodges No. 2 and 7 were before us as plaintiffs. The subject-matter of controversy would be a contract among three districts in reference to a matter that is nowhere mentioned or recognized in our organic law. The contract among the Districts will not be contended to be a B'nē B'rīth *law.* It is simply a compact among the three Districts. Any law passed by any of said Districts, with reference to said contract, may be interpreted by this Court, but when any of said Districts recedes from or violates said contract a difference arises upon a contract, for the breach of which an action lies in the Courts of the country, and not here. This Court has no power to make any member, lodge or Grand Lodge pay their debts, except such as are imposed by the law of the Order, a District Grand Lodge or lodge. The Grand Lodges are sovereign, except in so far as they are subject to the Constitution Grand Lodge and the Constitution. They can make and unmake contracts, and, of course, can refuse to fulfill them; and so long as, in so doing, they violate no law of the Order, we cannot interfere. If District Grand Lodge No. 7 owed $1000 salary to its secretary, and refused to pay it, we might pass upon its liability, because the law of the District provides that he shall be paid; but if by special agreement it should agree to pay a member of its own District, or another District, or an outsider, a stipulated sum for a stipulated service, and should refuse to pay, we would have nothing to do with it. And even in the

Digitized by Google

case of its Secretary, if the Grand Lodge, in regular convention, should *change the law*, so as to operate the repudiation of the contract with the secretary, he could not complain to us, but would be put to his action at law. In such a case the Grand Lodge would say, we are sovereign, and make laws to suit ourselves, subject to the Constitution. If a law that we make is unconstitutional we have a right to make it, and if it impairs the obligation of a civil contract the Courts of the country can afford relief.

If this Court shall undertake to pass upon all questions of contract between Grand Lodges, or subordinate lodges, or members, we should proceed at once to adopt a complete system of jurisprudence, provide ourselves with ministerial officers, and otherwise equip ourselves not only to adjudicate all matters, but to enforce all our decrees. Suppose we could canvass all the matters in controversy between District Grand Lodge No. 7 on the one side, and Nos. 2 and 6 on the other, and decide the former to be in the wrong, shall we order District No. 7 to pay the Orphan Asylum tax? And if she refuses, shall we certify such refusal to the Executive Committee and have her charter forfeited. Shall we ask the Constitution Grand Lodge to destroy a District, not for breaking any law of the Order, but for breaking a contract with which the Order at large has nothing to do. We might just as well forfeit the charter of District No. 1 for refusing to pay a stationery bill due by contract to a member of the Order or anybody else. I should regret, not less than any one else, to see our Grand Lodges engage in litigation, but I cannot perceive how this Court can be used to settle the financial differences between Districts arising from private contracts.

Leaving this question, however, which I have discussed only in view of a possible case that may be made before us by Districts No. 2 and 6, I came to consider the right of the appellants to complain of the action of District No. 7.

It is conceded that the Selma Convention was regular, and that the action of District No. 7 is unimpeachable, except in so far as it is obnoxious to the Constitution and is illegal. It is an elementary principle of law that the judgment of a Court can only be invoked, when there has been a wrong, by the party wronged, and who is entitled to, or prays for relief. If the action of D. G. L. No. 7 be

Digitized by Google

unconstitutional, it is void and of no effect, and under our liberal practice might be so declared at the suit of any member of the District, and *a fortiori* of any lodge.

Is it then unconstitutional?

Appellants refer us to Part II., Art. IV., Sec. 2 of the Constitution, which provides that "District Grand Lodges shall enact all laws and regulations for their own government, and all general laws for the lodges in their District; and they contend that the action of D. G. L. No. 7 at Selma repeals laws which were enacted and approved by Districts Nos. 2, 6 and 7 jointly. It is not perceived how the action in question was designed, or could operate to repeal any law of Districts Nos. 2 or 6. It only applies to the disposition of funds collected in its own District, and does not seek to control the action of the other Districts. The argument against the constitutionality of the act in question is in fact but an argument in favor of its illegality. There is nothing that appears in the record that makes it unconstitutional, and, as is suggested by appellee, the consent of Districts Nos 2 and 6 to the abrogation or modification of the contract would be a sufficient answer to any such claim. If the action under consideration were unconstitutional, no consent of Districts 2 and 6 would validate, for it would be a nullity, *ab initio*. Some of the appellants have not even urged the unconstitutionality of the act at all, but place themselves squarely upon the ground that the Selma Convention violated an agreement which in law and equity the District should comply with and invoke the power of this Court in that behalf.

Conceding the validity of the contract and the breach, can appellants complain? In other words, if the action was illegal, in that it violates a solemn obligation between District No. 7 and Nos. 2 and 6, can the subordinate lodges of District 7, as such, have the action set aside?

I think not.

If there be any wrong in the breach, it is a wrong committed against Districts No. 2 and No. 6, the other contracting parties, and they only can complain of it. The law discourages litigation, and has never permitted parties not directly affected by a wrong, to call the wrongdoer to account. This is in the nature of an action for breach of contract, and is brought by a third party, not connected

Digitized by Google

with the contract, except as subordinate members of the alleged defaulting district. The record nowhere discloses that Districts Nos. 2 and 6 did not agree in advance to the action of District No. 7, nor that they have not assented to it since, and for all that we may know to the contrary, Districts Nos. 2 and 6 may be entirely satisfied with what has been done. The proposition of appellees is so plain, that it requires no argument to support. If any be needed, there is an abundance at hand. If District No. 7 passed the act complained of, because of an agreement with Districts Nos. 2 and 6, or because of a prior breach by said Districts, she should have the privilege to set up such matter by way of defense. It would be an absurdity to do so in this proceeding. Why should District No. 7 explain her action at the instance of lodges of her own creation, perhaps, in a matter with a sister grand lodge, in what manner, or to what extent would such a defense bind Districts Nos. 2 and 6? If appellants may have the act passed upon in the manner sought, every lodge, and even and member of District No. 7, might do the same, and when all the appeals are disposed of, they will have no effect on Districts Nos. 2 and 6. For if the decision be in favor of District No. 7, they would not be bound by it in this or any other tribunal, for the fundamental reason that no one is or can be concluded by a judgment to which he is not a party, except, perhaps, in admitting where the action is *in rem*. District No. 7 should not be called upon to answer more than once, and not at all if no complaint is made by Districts No. 2 and 6.

But it may be contended that appellants, as part of District No. 7 are wronged in that "repudiation" by District No. 7 reflects upon them, and that they have right to enjoin their District from repudiating. This proposition refutes itself. If it were sound any stockholder or member of a corporation could institute proceedings to compel the corporation to pay a debt which the corporation itself maintains it does not legally owe, with the anomalous result of making the company pay if the member prevailed in the suit, but of not hearing the creditor in a subsequent suit if the first proceeding should end in favor of the corporation. The law discourages a multiplicity of suits; if we entertain this appeal on its mertis we invite a shower of cases upon every disputed point.

Digitized by Google

I refrain from comment on the merits, as the record is too meagre to enable me to give an intelligent opinion thereon, and I do not feel authorized to comment on anything *dehors* the record. For the reason that the court has no jurisdiction, and mainly for the reason that appellants are not the proper parties plaintiff, in my opinion the appeal should be dismissed.

MORRIS GOODHART, DISTRICT NO. 8.

In this case, as well as in Appeals Nos. 71, 72, & 73, which are appeals from the same law and are entirely identical the appellants feel aggrieved at a law passed by District Grand Lodge No. 7 whereby the tax or assesment levied for the support of the I. O B. B. Orphan Asylum at Cleveland and the New Orleans Home is proposed to be distributed between those two Institutions pro rata, instead of the former method where by the Cleveland Orphan Asylum was to receive the sum of fifty cents *per capita* quarterly from each member of the various lodges in that district and the same amount for the New Orleans Home. The amount of tax to be paid by the members for the support of both Institutions is no greater, under he new law, than it was under the former one. The sole ground of objection is to the manner of distribution of the tax. Under the old law, each Institution received an equal amount, while under the new law it is proposed to distribute it among both Institutions in proportion to the number of orphans, chargeable to District No. 7.

District No. 7 was formed from Districts Nos. 2 and 6 and at the creation of District No. 7 it was agreed by solemn compact that each Grand Lodge formed out of any portion of the territory of District No. 2 should have equal rights in the Cleveland Orphan Asylum, assuming equal responsibilities and liabilities; in furtherance of which each Grand Lodge pledged itself to enact, maintain and enforce a system of uniform assessments in its various subordinate lodges toward the funds of the Asylum. The uniform assessment so enacted was placed at the sum of fifty cents per quarter for each member. Independent of the fact that this compact was made by District No. 7 with Districts Nos. 2 and 6 we consider that any change in the amount to be contributed by District No. 7 to the Cleveland Orphan Asylum is a violation of the rights

Digitized by Google

of the appellants because while District No. 7 may contribute, if it wishes to, to the support of the New Orleans Home yet, as some of the lodges in District No. 7 were formerly a part of the Districts from which District No. 7 was created and would not have been compelled to pay any greater tax than fifty cents per member quarterly if they had not been taken from the District in which they originally belonged, it would be palpably unjust to levy upon them in their new District any different taxation than that which they would have had in their old District for the same purpose. And as the amount of the assessment must be uniform upon all the lodges in the District it will readily be seen that the law of the distribution of the fund cannot be changed, at least, not in the manner taken by District No. 7. It may well be that the number of orphans in the Cleveland Asylum, chargeable to District No. 7, is greater than the number in the New Orleans Home and that under the new law the former institution would receive a larger portion of the fund than the latter. Or it may be that the converse is or will be the case. With these considerations, however, this Court has no concern. It is sufficient that objection is taken by a lodge or lodges which were formerly members or constituent parts of the Districts from which No. 7 was constituted.

The appellee claims that this Court has no jurisdiction in this appeal, upon the ground that it is not taken by either of the District Grand Lodges with which No. 7 made the compact. This position is untenable. Every member of the Order, as well as every Lodge in the jurisdiction, whether as an individual or a properly-constituted body, possesses the right of appeal in this Court from the determination or action of his or its District Grand Lodge, and it is unnecessary upon this branch of the case, to do more than state the proposition in order that the fact may be known.

The appeal, so far as it relates to the actual distribution of the fund arising from the quarterly tax of one dollar per member, must be sustained, and the payment by District Grand Lodge No. 7 to the Cleveland Orphan Asylum of the sum of fifty cents per member quarterly (or two dollars per member annually) should be continued. We can make no change in the law requiring each member to pay the sum of one dollar quarterly toward the support of the two institutions named. The District has the right to contribute such

Digitized by Google

amount towards the New Orleans Home or any other benevolent institution, as it sees fit, but cannot violate its contract with Districts Nos. 2 and 6.

The appeal is sustained, and District No. 7 is directed and ordered to pay to the Cleveland Orphan Asylum the sum of fifty cents quarterly (or $2.00 annually) for each and every member in the District.

DECISION.

In the year 1868 District Grand Lodge No· 2 established an Orphan Asylum at Cleveland, O. The territorial jurisdiction of the District then included that wherein Nos. 2 6 and 7 are now located. At the institution of the asylum, it was enacted that all Lodges within its jurisdiction, and all Lodges which might hereafter be created within the limits of the territory, whether belonging to District No. 2 or other Districts, should contribute the sum of two dollars *per capita* annually for each of its members. District No. 7, which was formerly a part of the territory of No. 2 for several years, assented thereto, and paid the said sum; and at a convention held at Vicksburg in the year 1874, by a law, enacted that every member should pay the said sum of fifty eents per quarter to said asylum, and that said contribution should thereafter constitute a part of the regular dues of members of their Lodge. Afterwards, in 1885, at Selma, Ala., the District Grand Lodge No. 7 provided by law that the contributions to the said Orphan Asylum should be changed and paid *pro rata* with another institution, in proportion to the number of inmates in each from the Lodges of the District, and repealed all laws which provide for the *per capita* contribution of fifty cents per quarter to the Cleveland Orphan Asylum. Several Lodges of the District complain against the enactment of these amendments, and appeal to this Court.

The Court holds: That the payment of two dollars per annum was a valid contract made by the Grand Lodge No, 7, and it has no power to change or annul said contract without consent of all the contracting parties; thereupon, that the amendments made in regard thereto at Selma, at the meeting held in May, 1885, and the repeal of the existing laws, are declared and held to be null and void.

Digitized by Google

It is the duty of the District Grand Lodge to collect and pay to the Orphan Asylum at Cleveland, from each and all of the Lodges, the sum of two dollars per annum for each of the several members, under and in accordance with the laws existing prior to said pretended repeal thereof.

m, Sanger, Shroder, Wolf, Kraus and Goodhart, JJ., concur. Levi, J., dissents, and holds that the Court has no jurisdiction over the subject, and that the appellants have not the right to appeal.

JOSEPH ABRAHAM,
President of the Court.

Digitized by Google

Digitized by Google

NATHAN BLOOM.

Digitized by Google

THE MENORAH

VOL. II. *FEBRUARY, 1887* NO. 2

PAGES FROM THE LIFE OF MOSES MENDELSSOHN

I.

LESSING AND "NATHAN THE WISE."

THE intimate bond of friendship which existed between Moses Mendelssohn and Gotthold Ephraim Lessing was certainly one of the most interesting phenomenon of that period in German literature.

Two heroes in the realm of intellectual activity had united, and the interchange of thought, the spiritual impulse, born of this contact of enlightened elements, was fruitful in the highest degree in theories that were to be of everlasting value to philosophy, poetry, theology and art.

The relation existing between the popular philosopher and the great critic resembles, in many respects, that which existed between Goethe and Schiller, as it is difficult to say how much each of these great minds owed to the other's genius. This much may be declared, that the harmonious mingling of these great souls, the elective affinity existing between them was of important influence in a prosperous development of the national literature.

That these men should have attracted each other is easily comprehended. Lessing's was a thoroughly democratic nature, which sought with a passionate ardor for truth—pure and complete truth.

In volume X., page 49, of Lessing's works, we find these lines: "If God were to hold all truth in his right hand, and in his left hand held the solitary ever-stirring impulse to seek for truth—even although with the drawback ever and always to err—and holding concealed, spoke to me: 'Choose!'

*Adapted from the German of Dr. Adolph Kohut, of Dresden, by George D. M. Peixotto. All rights reserved.

Digitized by Google

with humility would I fall towards His left hand, and say : 'O, Father, give ! The *pure* truth is for Thee alone.' "

He who wrote these grand words—this hero of true research—felt a mighty sympathy for the philosopher, who, in his unassuming character, reminds one of Spinoza, who incessantly sought, whilst undergoing every difficulty, for the ways that led to pure knowledge ; who belonged to a people whose martyrdom of centuries filled the imagination as a tragedy of the most bloody kind.

The acquaintanceship of Lessing with Mendelssohn dates from the year 1754, when a passionate chess-player, Isaac Hess, brought them in contact with each other at a game one evening. Both "knights of intellect" soon learned to love and cherish each other. Mendelssohn found in his intercourse with the sagacious, spiritual, profoundly learned Lessing, new sources of education ; and Lessing had the opportunity to satisfy his inclination for philosophical discussions. It was a particular joy to him, the genial "Stürmer and Dränger," he who so loved, above all things, to associate with soldiers, actors and Jews, much to the disgust of worthy pastor Lessing, his father ; it was a particular joy to be friends with an autodidactician of the Jewish race —one who was perfectly at home with the philosophy of Wolf, who knew Locke by heart, and whose pure character distinguished every thought, every feature of his life.

What Lessing thought of his friend, even at that time, may be gathered from a letter, dated October 16th, 1754, directed to Michaelis. Among other things we find this: "He (Mendelssohn) is in reality a Jew. A man of twenty odd years, who, without any guidance, has attained great strength in languages, mathematics, worldly wisdom and poetry. I regard him, in anticipation, an honor to his race, if only his co-religionists allow him to ripen : they who at all times are so prone to be driven by an unhappy spirit of persecution against people of his type. His honesty, his philosophical spirit, cause me to foresee in him a second Spinoza, the likeness to whom will only be lacking in Spinoza's errors."

Digitized by Google

Once when Lessing had lent Mendelssohn an essay on Shaftesbury to read, Mendelssohn, on returning it, was asked how it pleased him. "Well, yes," answered he, "it pleased me very well, but I can do this kind of thing myself." "Is that so," said Lessing, "well make something like it then." Mendelssohn brought him, after a time, a certain manuscript to peruse. A German authority has determined this MSS. to have been Mendelssohn's "Letters on Feeling." It was several months before Lessing spoke to Mendelssohn on the subject; and when at last the latter asked Lessing if he had read the manuscript, Lessing handed him a copy of the printed work.

Owing to Lessing's inspiration, Mendelssohn afterwards translated Rousseau's Essay "On the Origin of Inequality among Men." This is indicated by the appendix, containing the "Letter to the Magister Lessing, in Leipzig." Mendelssohn's philosophical "Talks" breathe with so much of Lessing's soul, that many critics have attributed them to the latter, because they "possess that agreeable, sagacious, entertaining quality and a particular turn of phrase, by which Lessing is generally recognized."

Lessing ever regarded Mendelssohn as his most intimate friend, to whom he might pour out his heart when, full of pain and bitter disappointment, it turned from the world.

Shortly before his death, Lessing wrote from Wolfenbüttel to his dear friend Mendelssohn, the following memorable words which allow us a deep insight into the injured soul of our great Lessing: . . . "I do not believe that you look upon me as a man who is greedy for praise. But the coldness with which the world tries to indicate to certain people, that they can do nothing that pleases it, is, if not fatal, at least benumbing. That everything I have written of late years does not please you, does not astonish me. Nothing should have pleased you at all, for nothing had been written for you." "Possibly some stray page here and there suggested a retrospection of our better days and thus deceived you. At that time I was a healthy, slender tree too, but now am but a rotten, gnarled trunk! Alas!

Digitized by Google

dear friend, this scene is finished. Of course, I would dearly love to speak with you once more." . . . .

This wish of Lessing was, unhappily, not to be realized. On the 15th of February, 1781, died the greatest poet of his time in Germany, the man with whom Mendelssohn lived in the most confidential friendship for over thirty years, and whom he loved as his own brother. In what touching words did Mendelssohn give expression to his sorrow, in that letter to the departed poet's brother, Carl Lessing! He wrote thus: "Not one word about our loss, or the great defeat our hearts have suffered. To me the memory of the man we have lost is now too holy to be desecrated by wailing. He will now evermore appear to me in a light which surrounds all objects with calm and refreshing gaiety. Well, I count no longer what I have lost through his demise. With a heart moved to gratitude, I thank Providence for the benefaction that led me to become acquainted with this man, who was to form my soul. To him I turned as to a friend and judge in every action I contemplated, at every line I wrote, and whenever I was about to undertake an important step. If a certain melancholy finds its way into this contemplation, it is perhaps because of the remorse I feel at not having sufficiently availed myself of his guidance, at not having been more eager to grasp his instructive companionship, that also I neglected many an hour in which I could have talked with him. Ah! his conversation was an abundant source, from which one could glean unceasing new ideas of the good and beautiful—which he cast from him for the use of everyone."

"Everything considered, your brother departed this life just at the right time; not alone in the plans of the universe, for therein nothing happens at the wrong time, but even the right time in our narrower sphere, which hardly counts a span in diameter. Fontenelle said of Copernicus: 'he made known his new system and died.' The biographer of your brother can in the same circumstance relate: 'he wrote 'Nathan the Wise' and died!' I can hardly conceive of a work of the soul which could surpass 'Nathan the Wise' in the

Digitized by Google

same way as this work surpasses all which Lessing had written before it. He could not mount to a more elevated plane without stepping into a region beyond the reach of our terrestrial vision; but this he even did. And now we stand, like the disciples of the prophet, gaping at the spot whence he disappeared and ascended on high."

"A few weeks before his demise I had occasion to write him: 'that he should not be astonished, if the great body of his contemporaries denied the merit of this work; *a better posterity would even fifty years after his death find matter therein to chew and digest.*' In fact, he has preceded his generation by more than a lifetime."

This letter may be found in Mendelssohn's "Collected Works" (Gesammelte-Schriften), volume V.

Lessing's death occasioned his friend Mendelssohn a painful heart-wound that was never to heal. A part of his better self, the ideal man and searcher, as his imagination ever pictured him, the embodiment of the soul's nobility and high-mindedness, had stepped down, in the powerful Gotthold Ephraim Lessing, into the depths of the grave.

The now weak and ailing Mendelssohn felt unconsciously that he, too, would soon be taken hence, to join Lessing in a better world. In his letters to a friend, we find many a sorrowful tone denoting this feeling, and are even to-day moved by it.

He writes, in a letter dated May 8th, 1781: "I sleep with him, dream of him, awaken with him again, and thank Providence for the favor shown to me in having made me acquainted with this man so early in life, and that I so long have been able to enjoy his society."

All that he now wrote and thought he showed to Lessing, in imagination, for his opinion. "Although," writes Mendelssohn, "his zeal for freedom of research consumed, alas too early, the great thinker! for me he will never be dead, and to my spirit ever present. I will always, at every line I write in a philosophical matter, ask myself: 'Would Lessing approve of this?'"

In the summer of 1781, Mendelssohn desired to erect a

Digitized by Google

literary monument to his dead friend, by writing an essay on his character. In the face of those hateful attacks which the fearless champion of right, truth and enlightenment had been exposed to, and as a set-off to the efforts of bigots to tarnish Lessing's memory, Mendelssohn considered it a sacred duty devolving on himself to depict the pure and noble character of his friend with eloquent warmth.

In truth, who could have written with greater insight into his character than Mendelssohn? "Only his most intimate friends," writes the great Sage, "knew him to be one of those rare people who are better even than they wish to appear. The hypocrisy of the world's etiquette, and the so-called polite society manners, are so repulsive to such natures, that in their outward conduct in life they would rather assume just the contrary of all these things and appear to harbor an unsociableness which in reality their hearts have nothing in common with." Another time Mendelssohn writes: "The world knows Lessing's literary worth, but few, however, know his merits as a friend, and I think that his moral qualities generally are by many even unrecognized. The conception of virtue and morals are also so subjugated to fashion, that whoever can not submit himself to the social fashions of his time will be sure to be decried and misinterpreted by his contemporaries."

"This much, however, seems to me indisputable: If ever there existed a man who was better than he allowed himself to seem through his writings, that man was Lessing. Those who were most opposed to him he could convert and win in a single hour of personal intercourse, and at the same time, I may say that never to my knowledge did intentional flattery proceed from his mouth. Nay, he possessed the—what can I call it—oddity,* of being a sworn enemy of all outward politeness."

"His social virtues consisted rather in real sympathy, a frank readiness to serve, in the utmost remoteness of all selfishness or self-conceit, and in that mild willingness so to oblige every one with his wealth of understanding, that in converse with him one thought oneself ever so much more

*Mendelssohn uses the word "Bizarrerie."

Digitized by Google

quick-witted than one really was, even although one could not but feel his superiority. Sarcastic and bitter against every coxcomb who imagined himself to have alone found truth, he was always amiable and modest towards any one who was in search of truth, and at all times ready to serve them with his wealth."

Unfortunately, Mendelssohn never carried out his plan, and sketched only a few "Chief Features" in the characteristics of Lessing, which later on were incorporated or added to the biography of Gotthold Ephraim, by his brother, Carl Lessing, into whose hands they fell. From these "Characteristic Traits" [Hauptzüge] let us eliminate the few following remarks :

"The love of research. To this love he could sacrifice all his other predilections. Favorite propensity to adopt the weakest side. Sagacity that bordered on the sophistical. Acuteness combined with a fertile wit. This led him through all branches of literature with an even progress, and made them all equally agreeable to him. The hunting was more an object to him than the game. . . . . ."

"Modest in a high degree. Lack of formal politeness. Inability to deal with great folks. Remoteness of all hypocrisy, self-interest and self-conceit. Accepted correction and blame from friends with the greatest willingness. Benevolent with his terrestrial and spiritual possessions. Indefatigableness in taking up at all times researches and communicating his ideas without vain-glory, so that one believed oneself to be wiser."

If now, the "Characteristics of Lessing" remained unfinished, much to the loss of the Lessing biography, Mendelssohn gathered all his strength together, in spite of his already suffering health, in the cause of defending his dead friend against the accusations of Jacobi. The latter had published a pamphlet "On the Teachings of Spinoza" (Breslau, 1786), in which he describes Lessing as a follower of Spinoza and an Atheist.

Mendelssohn offered up his last remaining strength, and wrote a refutation : "To the Friends of Lessing." This

Digitized by Google

work was his last will and testament. On the way to his publisher, Voss, he took a fatal cold, and just one hundred and one years ago, on the 4th of January, 1786, died the "Sage of the nation," in the fifty-seventh year of his life. Thus he sealed his last labor of love for Lessing with death.

There is no doubt whatever that Moses Mendelssohn was the original of Lessing's "NATHAN THE WISE." This "song of songs" of religious tolerance and world-embracing humanity stands solitary and alone in German literature. This beautiful dramatic poem is an ornament to Germans generally; "for," said Mendelssohn, "what a high degree of enlightenment and education must a people have reached in whose midst a man could rise to these lofty sentiments, could develop this refined insight into the human and divine. . ."

And in this noble poem Mendelssohn becomes, as it were, transfigured poetically. The great poet has through its means lent a new immortality to the great philosopher. Mendelssohn, like "Nathan," was the embodiment of beneficence, humanity, piety, meekness, and resignation to God's will.

It has been said, that without Mendelssohn, "Nathan" would never have been created, and that without Lessing's friendship Mendelssohn had never attained the place he now fills in German literature. Twenty years before, when Lessing had written his maiden work, "The Jews," a proud clerical criticised it as being too improbable, that among a people like the Jews, a mind as noble as the Jew described in the piece could be developed. When, however, "Nathan the Wise" was published, few people could doubt that such a noble Jew was possible.

The Jewish ideal sage lived and flourished in Berlin itself, and was not only an ornament to *his* people, but to the German nation at large.

The words in Act 4, Scene 7, make clear at once the tendency of the play and the personality of Nathan-Mendelssohn.

The Monk says:

"Nathan! Nathan!
You are a Christian!

Digitized by Google

God witness you are a Christian!
And ne'er was a better one!"

To which Nathan replies:

"'Tis well! For that
Which makes me Christian in your eyes
Makes you appear in mine
A Jew!"

HEBREW JURISPRUDENCE

II.

THE design of the Hebrew legislators seems to have been throughout to preserve the equality between man and man. It may have been a Utopian scheme, impossible of actual realization; but it was to be carried to its legitimate conclusion. The Israelite, created in the image of his Maker, and destined to play his part in the great plan of the Ruler of the world, was not, because of his poverty, to be at the mercy of his fellow-Israelites. The rich and the poor were alike brothers, members of a mighty family. If the one were obliged to pawn his raiment with the other, it was to be returned to him before nightfall, so that he might not feel its want. "If thou at all take thy neighbor's raiment to pledge, thou shalt deliver it to him by that the sun goeth down. For that is his only covering; it is his raiment for his skin; wherein shall he sleep?" So saith the law.

While the law was thus laid down in all its numerous details, the law-giver failed to provide a mode of procedure or to lay down any rules for its administration, unless it be the appointment of judges, under the advice of Jethro. They were to hear the causes between the people and judge righteously between every man and his brother and the stranger that was with him. They were not to respect persons, but to hear the small as well as the great; and if the case were too hard for them, they were to bring it to Moses for his decision. Further details as to the

Digitized by Google

administration of the law are to be gathered from oral tradition and the Talmud. There seem to have been three tribunals among the Hebrews for the administration of justice. First, a court composed of three judges, one of whom was chosen by the plaintiff and the other by the defendant, while the two thus chosen appointed the third; these courts adjudicated all civil cases and such criminal ones as were punished by the infliction of a pecuniary penalty. Second, the provincial synhedrin, possessing criminal jurisdiction in addition to civil, and consisting of twenty-three members, who were elected by the people of the town, pursuant to an order issued by the great synhedrin of Jerusalem, which was the highest court of the land, possessing appellate as well as original jurisdiction. Before the members of a provincial synhedrin could perform their judicial duties, their election had to be certified and approved by the great synhedrin of Jerusalem. While every Jew was eligible to a seat in the provincial synhedrin, care was taken to select only those who were fitted by special study and ability for the interpretation of the law and the performance of the grave duties of the office; and, to prevent any evil resulting from the abuse of the right of suffrage on the part of the people, the great synhedrin could refuse a certificate to the members of a synhedrin whom they did not consider competent to serve. The high regard in which the study of the law was held can be illustrated by the following sayings of the rabbis: "The house where the law is not studied by night shall be destroyed;" and "The world stands upon three pillars—law, worship and charity."

At Jerusalem there were three synhedrin, or courts. The first was composed of members selected from the various provincial synhedrin, the second of members promoted from the first, and the third or great synhedrin was composed of seventy-one members, any vacancy being filled from the second. By this manner of promotion, the highest court was composed of the most learned body of men in the country. The judicial office was regarded by our forefathers with more reverence than it receives from their descendants, and they adopted many precautions to maintain its dignity and pre-

Digitized by Google

serve its purity. No person who played at dice, or who made money at betting or any game of chance, was eligible to judicial office; nor was the slave-dealer, because his trade was inhuman; nor the usurer, whether he exacted interest of the Jew or Gentile. A person who had no fixed occupation was not competent to decide the affairs of others, and was, therefore disqualified, as also those who dealt in the fruits of the seventh year; for they were not conscientious. Nor would the Jewish law permit any relative of the accused, or any person who might be benefited by his condemnation or death, to act in a judicial capacity. In criminal cases, the restrictions were even more rigid. An old man was incapable of acting as judge, because of the liability that his years and infirmities might warp his judgment; a man who had never had children, or one who had exhibited any enmity towards the accused, was also ineligible. No judicial system of modern or ancient times aimed at more exact justice, and yet none was more merciful to the offender.

It would cause a smile to lighten the faces of some of our judges of to-day, to be told, that if a person helped them out of a boat they were incapacitated from trying a case in which that person was interested; and yet such a slight occurrence was considered by a Hebrew judge—Rabbi Samuel—sufficient to unfit him to sit in judgment upon a case. Another rabbi refused to try a lawsuit in which one of the litigants had brushed a feather from his garment. The Hebrew judges were not only distinguished for their impartiality and knowledge of the law, but for their general learning as well. They never required the services of an interpreter. It was incumbent that at least two of the judges should be able to understand the language of the foreign witness, two more should be able to converse with him, and another must be capable of both understanding and conversing with him. There could never, therefore, be any doubt about the meaning or effect of his testimony. We might summarize the requirements for the judicial office by citing the remark of Rabbi Jehuda, that "they should be such apt and skilful logicians that they could demonstrate from the written text of the Pentateuch itself

Digitized by Google

that all the reptiles therein declared to be *impure* were *pure*." If the Jew had a dispute with his neighbor which could not be settled in any other way, they either went before the three judges or the provincial synhedrin, and the matter was at once disposed of. No lawyers were necessary, no heavy costs were exacted, and no time was lost.

The method of conducting criminal cases involving capital punishment is interesting enough to warrant me in going into some detail. The court was held generally at the city gates or under the shade of trees in the open air. Besides the twenty-three judges, there were three rows of twenty-three disciples, or students, who sat immediately in front of the judges. These students could participate in the trial only in behalf of the accused. In no case could they urge anything against him. As soon as he was arrested or summoned, the prisoner was immediately brought before the court. There was no lying in jail, no necessity to procure bail. The testimony of two witnesses who saw the act committed was necessary in order to secure a conviction. The witnesses were first taken aside and impressed with the gravity of their responsibility in testifying against the accused; they were cautioned against giving hearsay evidence, and reminded of the fact that an error, if committed, in the decision of the court would be irreparable. The penalty which they would suffer, in case of perjury, was also explained to them—a false witness being compelled to undergo the same death which would have been inflicted upon the accused, if convicted. In order to erect a still further safeguard against perjury, it was the duty of the first witness to act as executioner and the second as assistant, in carrying out the sentence of the court. A majority of one of the judges was sufficient to acquit the prisoner; but in order to convict him a majority of two was necessary. The accused could be acquitted on the same day that he was tried; while, if convicted, the sentence could not be pronounced until the succeeding day. After hearing the testimony, each judge voted, giving his reasons, which were taken down by the scribes. If there were a majority of two for conviction, an adjournment was taken to the following day, for the purpose of permitting

Digitized by Google

the judges time for reflection and deliberation. During this interval they abstained from food. Upon the following morning the judges reassembled, and each of them again announced his vote, with the reasons therefor. It was permissible for any judge to change his vote from conviction to acquittal ; but one who had voted on the previous day for an acquittal could not subsequently vote for conviction.

The sentence was pronounced at sunset on the second day, and was immediately followed by the execution of the prisoner. Additional precautions were provided to still further prevent the possible punishment by mistake of an innocent person. This was accomplished in the following manner. About the hour of sunset, the time for the execution of the sentence, a man appeared at the entrance of the court, bearing a white flag. A short distance beyond him was stationed a messenger upon horseback. Sentence having been pronounced, the prisoner was taken by an officer to the place of execution, which was at some distance from the scene of the trial. If any judge, in the meantime, bethought himself of an argument in favor of the accused, he motioned to the flag-bearer, who in turn gave the signal to the messenger on horseback. The latter galloped forward, and communicated the fact to the officer having the prisoner in charge. The accused was thereupon brought back to the court for further examination. The prisoner was entitled to a repetition of this course as often as he or any judge could offer extenuating circumstances or urge any point in his favor. Thus, the condemned criminal was secured every opportunity for timely justification. No avenue of escape in consonance with justice was barred to him : until the very moment of execution, without the vexatious delay which the interposition of an advocate might occasion, the accused could instantaneously, for cause, obtain a hearing. These precautions and safeguards, as well as many others equally minute and important, were dictated by a profound sense of the sacredness of human life and the gravity of its sacrifice. Hence, though the criminal had himself shed the blood of an innocent soul, still every mitigating circumstance must be weighed

Digitized by Google

and considered before he could be put to death. The life of the unfortunate victim could not be restored; yet none the less must no stone be left unturned to clear the accused, before the law would sanction the addition of another death to the first. What a powerful impression we here gain of the sublime humanity of our forefathers! What a rare union of justice tempered with mercy! Yet this is but one of the many manifestations of humanity which the code of Hebrew morals exhibits. Where can more extreme solicitude be felt for human life, and value placed upon it, than in that provision of Jewish law that an ox or other animal which has gored to death or severely injured a human being should be put to death as though a responsible criminal, and his owner should suffer fine or penalty? Another statute—and one which might with advantage be enforced in our own day of tall and dangerous structures—required the owners of buildings to provide the roofs and abutments thereof with fences and railings to prevent the possibility of accident. These are but single and isolated instances of a code of laws which is permeated and saturated with a lofty humanitarian spirit, and the influence of which cannot fail to be ennobling and elevating.

The rules of evidence contained in the Hebrew law are important in the respect that it was their object to render the conviction of an innocent person impossible. Hearsay evidence was not admitted; relatives of the accused, his debtors, creditors, or enemies, and persons convicted of fraud, were excluded from testifying against him. If convicted, he was put to death,—*not tortured.* Human life was too sacred to admit of the horrible and unnatural punishments adopted by the Romans, Greeks, and even by the English as late as the Middle Ages. Everything possible was done to mitigate and lessen the horrors of death. The culprit was first given a draught which lulled his senses and made him indifferent to pain. If the sentence were stoning to death, it was carried out by throwing him from a high eminence, the result being to cause instant death, by dislocating the spine. If he were to be burned to death, he was placed in a pit, and the

Digitized by Google

earth filled in up to the height of about two feet, a strong cord wrapped in a cloth was placed around his neck, and by pulling on each end suffocation ensued. When the jaw fell down, and the mouth opened, a lighted wick was placed therein, and the sentence was then completely carried out. The other modes of death were strangulation and decapitation. The former was performed after the manner of burning to death, the wick being omitted, and the latter was the ordinary mode adopted by surrounding nations.

While murder, adultery and idolatry were punished by death, homicide or the killing of a fellow-man by accident subjected the offender to interment in a city of refuge,—another feature of the Hebrew law which endeavored to modify and correct a barbarous practice the Jews had learned from other nations. In Eastern countries, blood could only be satisfied by blood. If one's kinsman were killed, whether accidently or not, it was the duty of the surviving relative to avenge his death. Under the Mosaic law, the person who accidently slew another was taken before the synhedrin and examined,—in fact, tried,—and, if it were found that the killing was accidental, he was then conducted to one of the six cities of refuge, in which he was safe from the vengeance of the "*goel*," or "blood avenger." Here he was to remain until the death of the high priest. If the "*goel*" sought him out and killed him in one of these cities, he was himself punished for murder.

That a man is to be presumed to be innocent until proven to be guilty, is not a doctrine born of modern civilization. It is borrowed from the code of the despised Jew, and adds but another to the long list of unackowledged debts which the world owes to the chosen people of the Ruler of the Universe. But, true to the principles of the Hebrew code, we will exact no interest; we bear our persecutors no grudge. The debt cannot be barred by any statute of limitations. Its payment has only been postponed; and let us hope that in the advancement of modern civilization some new process of enlightenment may be discovered by which the eyes of the most illiberal may be opened to the existence of

Digitized by Google

the indebtedness which past generations have failed to acknowledge.

While the codes of Greece and Rome are pointed to with pride by historians, legal writers and jurists, the code of the Hebrews has lain so long neglected that comparatively few of our scholars are acquainted with its smallest details. And yet much that we hold sacred in the legal codes of to-day was born of Jewish thought and was first applied to Jewish life. In a page of the "blue laws" of Connecticut can be found more illiberality than in a volume of the Hebrew law. May we not hope that the time is not far distant when the student and historian will deem it worth their while to open wide the book into whose pages we have merely glanced, and spread before the world the many rich and ennobling lessons with which it is replete? And may it not also come to pass that part of the seed which I have endeavored to sow may germinate in the minds of some of our young men, causing them to follow the path I have but opened to their vision, until they reach the harvest-field that lies beyond, and there gather the rich reward of their labors? They will find that the flowers I have culled are but indifferent specimens of the rare and beautiful collection, growing in Eastern luxuriance in the garden of the Lord. And, if, in comparing them with the more familiar ones of Western growth, they discover but little improvement in the cultivation of so many centuries, they must remember that the Creator of the World, the Ruler of the Universe, of yesterday, to-day, and to-morrow, planted the first seed in the Orient, and that His chosen workmen were the children of Israel, who, five thousand years ago, declared as their maxim that "without the law civilization perishes."

DANIEL P. HAYS.

Digitized by Google

L'ALLIANCE ISRAÉLITE UNIVERSELLE.

II.

THE ALLIANCE is directed by a Central Committee sitting in Paris. This committee comprises members of every country, who are called to take part in its deliberations. The number of members composing the Central Committee is fixed at sixty, who are elected by a universal vote, a majority of votes of the members of the society electing. They are elected for nine years, renewable by thirds every three years.

The minimum of the subscription for membership is fixed at six francs, or one dollar and twenty cents per annum. A committee can be constituted in any locality where there are ten members. Regional or district committees can be constituted in any country where several local committees exist.

The Central Committee are in correspondence with the members through the medium of the regional and local committes. The grouping of these local committees around the regional committees are only operative through the initiative of the committees, which, by their geographical situation, their authority, and, above all, by their activity, properly designate them for this work.

As before remarked, the Central Committee is named by the universal vote of the members of the Alliance. The vote by regions or by countries or the vote by assumption, has been often proposed, notably in 1876 and 1879, but the division by countries is contrary to the spirit of the Alliance, and presents, in its application, difficulties in establishing the proportionality in the representation. Thus, the assumption would deprive the members from exercising a precious control, which it would be dangerous to weaken.

The division into fractions of the Universal Alliance, *i. e.*, into separate *national* Alliances, was likewise proposed in

Digitized by Google

1872 at Berlin, as well as in 1879 ; but it is in *unity* only that the Society finds its force and moral strength. A division would only have for result to scatter forces, which, in their isolation, would remain sterile.

The fundamental idea of the Alliance is unity ; to divide the Alliance would be to destroy it.

The first country which, after France, rallied to the Alliance was Italy, who gave it warmest co-operation. Since 1864, Turkey, the Scandinavian States, and the Spanish communities of America, especially the latter, were generous in their adhesion.

From 1868, Hungary, England, the Netherlands, Belgium and Switzerland joined actively in the work.

The co-operation of Germany dates from 1869, when the Alliance found in the deeply-lamented Dr. Landsberg, Rabbi of Liegnitz, an active and devoted coadjutor.

From its origin, the United States have given to the Alliance warmest marks of sympathy, and at times very considerable contributions have been transmitted in behalf of its several noble objects.

The membership roll of the Alliance numbers over 30,000, the United States furnishing only 700 or 800 subscribers, only 200 more than little Roumania.

The truth is, the grand work of the Alliance is but imperfectly known in this country, and it shall be the object of future papers to lay this great work before our readers and to evoke a more general and permanent interest in behalf of this great society, which has exercised, and is exercising, so vast an influence over the lives of our brethren in all quarters of the world where its humane labors can best be utilized.

Digitized by Google

HISTORY OF
THE INDEPENDENT ORDER B'NE B'RITH *

CHAPTER VIII.

ZION LODGE NO. 2. ADDRESS OF DR. MERZBACHER.

NUMEROUS were the applications for membership, and although great care was exercised in the selection of candidates for admission, it was but a few months after the creation of New York Lodge (the first) that the establishment of a second lodge became desirable.

An additional reason was, that a number of exceptionally intelligent and enthusiastic men, animated by the desire of giving greater effect to the promotion of the more exalted objects of the Order, deemed the organization of a new lodge as best calculated to carry out their plans. Consequently, Brothers Jones, Kling, Mandelbaum, Renau and Rothschild took cards of withdrawal from New York Lodge and presented a petition to the Constitution Grand Lodge for a charter. This was promptly granted, and two days thereafter, February 11th, 1844, Zion Lodge No. 2 was installed by Brother Isaac Dittenhoefer, the presiding officer of the Constitution Grand Lodge, and his assistant officers, with all the prescribed ceremonies and formalities.

The new lodge made rapid progress; its membership was recruited from the best elements of the German Israelites, and measures were at once devised looking toward social and intellectual improvement. The meetings were not only devoted to instruction in the tenets and principles of the Order, but the foundation was laid for bringing its aims and its teachings to the notice of the general public. It was considered of the first importance to counteract the prevailing tendency for coarse and corrupting pastimes by friendly gatherings and elevating social entertainments. And so we find that already—two months after its inauguration—Zion Lodge held a festive meeting, attended by the members of both lodges, their wives and families.

* Copyright 1886.

Digitized by Google

The genial Dr. Merzbacher, who had not yet become a member of the Order (present as an invited guest), delivered the following address:

MY FRIENDS:—

How different is my task here from that in which I am in the habit of addressing my accustomed audience.

In the Synagogue I have the fairer portion of the audience above me* and here in this place they are seated before me; there I have to raise my eyes occasionally, here I have almost to cast them down; but aside from this external dissimilarity there is a marked distinction between my discourses before the congregation and those within the halls of the Brotherhood. There I take as basis of my contemplation the book of all books, open to every one, and on this foundation I put layer upon layer, like a good freemason, until I reach the roof, the concluding pastoral blessing forming the keystone of my edifice; here my basis consists of a book sealed to me, and let me confess to you at once that the objects of this Order—in so far as they might be discussed publicly—are truly a secret to me, and if I, nevertheless, speak of them, it is rather of the liberal conceptions which I have formed from all that I have seen and heard, which has strengthened the hope in me of a prosperous result and magnificent success for your endeavors.

In my official discourses I can speak my mind freely, because my authority is Holy Scriptures. Here my text must be taken from an authority resting upon the convictions of the heart only, and which perhaps will find a corresponding echo amongst my hearers, or not, as the case may be. In the Synagogue I know beforehand that some will be displeased because I am not outspoken enough; others because I am too much so—that is, to some I am not liberal enough, to others I am too radical. Here I run the danger of displeasing everybody, because all of you appear to know more of the Order than I do.

What I will have to say then of the objects and usefulness of a Society like this, of an Order whose members observe the strictest secrecy concerning matters within their own circles, will be confined to a consideration of its general activity and to the ideas which I have formed, taking good care not to reveal more of the secret than what may be confided to me.

The objects which the Order pursues, or should pursue, are fourfold—Love, Friendship, Morality and Education.

It has also the object of giving assistance to the unfortunate, the widows and orphans.

If society in general requires the formation of associations of this class, it is certainly of imperative necessity amongst us Israelites, because, in spite of our equality as free citizens, we are compelled by the very prescripts of our religion to maintain a certain exclusiveness until others will also agree with us upon certain principles which we uphold as true and divine; and though we

* At that time the ladies attending Synagogue services were separated from the male audience, and were seated in galleries.

Digitized by Google

should, and ought to take hold of all modes of handicraft, and cultivate the various branches of honest industry, we are, nevertheless, as yet largely addicted to commerce and trade. We are so because the pressure of religious persecution drove us to adopt the latter, and we will probably remain so for some time to come, until we shall succeed, by united efforts, to open for our coming generations a wider field in the branches of art and science. of agriculture, manufactures, mechanics, navigation, etc.

A trading community, however, is much more subject to vicissitudes of fortune than any other class. The subsistence, the welfare of individuals, are more exposed to sudden changes, to circumstances beyond control, and the necessity is so much the greater for a combination, in order to afford mutual help whenever calamities and disaster make their appearance. It is necessary to provide in the days of prosperity for the pitfalls of misfortune.

How far we are justified in our claim of never having been excelled in the practice of charity, I need not dwell upon at this time; but next to the mutual support we have in view, it must be an incentive to us to contribute towards the general good, irrespective of any personal gain.

The illustrious example of our fathers, who were always foremost in deeds of charity, and whose sympathy and benevolence were ever extended to the victims of misfortune and persecution, is ever present before our eyes, eloquently invoking our imitation.

In a free country like ours, where union cannot be effected by measures of compulsion, where we are not forced to institute and maintain congregations —and this I tell you in confidence—where selfishness, passion and partisanship does everything to endanger our independent and honorable existence, in such a free country, I say the necessity is so much the greater which calls for the establishment of societies of the betters—those infused with a higher moral instinct—to further the objects of common welfare.

And it is upon this basis the object of the Order is best established. A brother becomes embarrassed, he can confide. without restraint or compunction, to his brother, who is bound by honor and duty to help and assist him to the best of his ability, and who is also in duty and honor bound not to expose him to disgrace, to public criticism and evil talk. Whatever is done remains the secret of these men, it is confined within these walls, none but his brothers are aware of it, dare know anything of it, and whatever he is made the recipient of brings him no disrespect or disadvantage in his vocation. He is sure of that, because he is expected to act in like manner under similar circumstances.

Next to this the rendering of help and assistance is not confined to one place, to one society, but extends to a continent, and to many societies that will gradually come into life

The further object of this Order is to disseminate the sentiments of friendship among its members.

Here I must impart to you another secret which, among ourselves, is no

Digitized by Google

secret at all—namely, that in reference to this point we are not entitled to so good a testimonial as to that of charity.

We all know that the word friendship, according to its full sense and meaning, does not meet with special favor among us—that is, in its practical application.

I will not inquire into the reasons why Israel, whose literature is full of the most beautiful sentences and teachings in this respect, which has shown so much sympathy and compassion, and with an open hand dispensed the balm of relief; in short, that nation which has evinced at all times a feeling heart at the misfortunes of the brethren should not have nursed and cultivated friendship in the pure sense of the term; yet such is the case; we all know that generous devotion to a friend - true attachment of heart has but little, if ever—become manifest among us.

A little more or less of worldly possessions, a supposed inequality in social station, or assumed difference of position in public estimation prove to be sufficient causes to disturb and break up youthful ties and connections, old friendships and even family relations.

Such people meet without recognition; it costs an effort to remember, after a short lapse of time, the man who had been looked upon as the truest of friends, if he crosses our path after misfortune has befallen him. As ready as we are to offer our friendship to one favored by fortune, as much are we in haste to withdraw it from the victim of adversity.

Our sympathy is aroused only at the sight of actual distress, momentary relief is then generally afforded; but enduring help is in most cases out of question.

A proverb says; "Handelschaft leidet keine Freundschaft" (trade and friendship are incompatible), but it is equally correct to say that friendship is incompatible with barter or business

There must be no beating down of price · there must be no limitation; there assistance must not be the doling out of charity, but the clasping of hands between brothers. It is not the question there to give bread but to procure bread. in other words, to aid in gaining the means of livelihood.

But therein lies the cause that true friendship is so seldom found, and when found so often broken. The pursuit of gain thinks only of itself; one is in the way of the other; interests cross each other and estrangement follows.

It is easy enough to avoid meeting your former friend; the forsaken keeps out of the way of the man who has forsaken him—nothing brings them together except the despair of dire misfortune.

This evil, existing perhaps more specially amongst Jews, might be corrected by a society like yours; an Order like this is apt to prove a great and powerful remedy; there friends will meet and meet often; the tone of voice which once penetrated the heart, wins back with its charm and melts the icy cover which had chilled and frozen sentiment.

Regular meetings, enjoined as duty. become gradually a necessity, hallowed by custom; exchange of thought and principle, a common purpose, equality of influence, mutual respect and distinction only conferred upon merit will bring us together, and knit indissolubly the bonds of true and lasting fraternity.

Digitized by Google

CONSOLIDATION OF JEWISH ORDERS

III.

THE decrease of expense that will follow amalgation of the different Orders is too apparent to require any argument, and has already received considerable attention.

(See the report of the committee of District No. 6, I. O. B. B., before alluded to, also an elaborate table lately published by Harlem Lodge, No. 254, of District No. 1, I. O. B. B.) In the latter it appears that out of receipts by the orders of K. S. B., I. O. B. B. and F. S. of I., amounting to $412,459.20, the whole was expended except the insignificant sum of $18,732.52, or eighty-five cents *per capita*. This embraces 198 lodges, with a membership of 20,890.

From looking over the reports of the K. S. B. of District No. 3, I gather the following:

	1879–80.	1880–81.	1881–82.
Lodges	42	47	47
Membership	2,184	2,247	2 244
Receipts	$19,731 59	$42 406 58	$38,190 67
Exp'd's	20,967 19	38,332 61	35,272 17
Capital	24 228 88	20,101 24	21,909 89
Pd. G. L.	575 90	984 70	961 90

So that, irrespective of endowment reserve, 2,244 members have in lodge funds $21,909,89. Of this amount, $16,-052.24 had accumulated prior to 1879. In the three years that followed, the forty-seven lodges of this district had added to their capital $5,857.65, being an annual *per capita* of eight and one-half cents. Discarding fractions, these 2,244 members have a *per capita* capital of $9.76, but this is not applicable to every section, some bodies being weighed down by debt.

It must be obvious that such disproportion between receipts and expenditures is a dangerous element. Nearly ten times the amount of the gross reserves has been received from initiations and degrees, and has entirely disappeared.

Digitized by Google

RIGHTS UNDER ENDOWMENT LAWS.

The members naturally inquire what will be their relation to these ordinances that exist in all the orders, in the event of consolidation.

With unaccountable improvidence, many have affiliated with a number of organizations, and find themselves unable to meet the assessments. The result has been an enormous increase in suspensions and forcible withdrawals.

The solution to this problem is more difficult in appearance than in reality.

All *compulsory* dues for endowments should be limited to a sum sufficient to secure $1,000 to beneficiaries; all above this should be entirely voluntary, but limited to $3,000, and except as regards the minimum of $1,000 in graded classes.

Admission to these sections should be a matter of right to all who now have, by reason of affiliation with several orders, endowment interests up to $3,000, they, of course, paying the requisite assessments to the extra classes or sections created.

RESERVES.

Every member of every organization has an inalienable equal interest in the reserve fund of his territory; this must be secured to him, and when new districts are formed by consolidation, these reserves must be equalized.

The equalization can be effected in two ways—viz., by requiring extra dues from those who have no right to the reserve, or applying a portion of such reserve fund to the use and benefit of those who have accrued rights therein. In this respect it is pertinent to notice the too frequent assertion that there is no incentive for new members to join these orders. Quite the reverse is the fact, for the instant they come in they become invested with a full share in the reserves, to which they have not contributed a dollar.

ASYLUMS, ETC.

Consolidation will present another problem. What will become of the Orphan Asylums of Cleveland, San Francisco, New Orleans, etc., the Asylum Fund of District No. 5, the Homes at Yonkers, Cleveland, etc.

Digitized by Google

Certainly the wisdom that called these charities into existence will find a practical way to maintain them under the management of a united order. It will be a grand mission for such an organization to take under its fostering care the Homes for the Aged and Infirm and the Orphan Asylums. It will give the society dignity and character, and will insure the applause and support of the people at large, irrespective of membership.

DISTRICTS.

Territorial lines may be changed, but the district organized will remain, eleemosynary institutions will be practically under the same control as now, but union will give strength, vitality, dignity, power, influence and character to a consolidated body that can not be severed by isolation and a division of forces.

LEWIS ABRAHAM.

ANNUAL MEETING GRAND LODGE No. 1

THE annual meeting of Grand Lodge No. 1 met in New York on Sunday, the 30th ult., and is still in session as we go to press. Delegates are present from the principal lodges of the District, representing a membership of nearly 9,000. At the opening meeting Bro. Julius A. Levy, President, read his report, and the reports of the Secretary and Treasurer and of the General and Standing Committees were also presented, and, with that of the President's, referred to the usual special committees.

Bro. P. W. Frank, Past-President of the District, offered resolutions of sympathy and condolence on the death of the illustrious Bro. Nathan Bloom, accompanying the same with an eloquent and impressive speech. The resolutions were adopted unanimously, the whole convention rising as a mark of respect.

Owing to the illness of Bro. Julius Bien, President of the Order, Bro. Mayer Thalmessinger, of the Executive Committee, called upon Bro. Benjamin F. Peixotto, Past-Grand Saar, to instal the newly-elected officers.

Digitized by Google

Bro. Peixotto having performed this ceremony and inducted into office Bros. Joseph E. Newberger as President, Morris Adler as 1st Vice-President, Meyer Hellman as 2nd Vice-President, S. Hamburger as Secretary, and Isaac Teichman as Treasurer, addressed the convention, eliciting, both during his discourse and at its close, long and rapturous applause.

From the several reports we learn that the sum of $113,000 was paid out for widow aud orphan endowments during the year, and that the Endowment Reserve Fund now amounts to about $265,000.

The Home for Aged and Infirm at Yonkers was built at a cost of nearly $140,000, and is paid for. The annual expenses for maintenance is about $15,000. Bro. Dr. S. Waterman, President of the Board of Governors, read a very able report on the subject, which we shall give in our next, together with other reports.

Bro. Max Cohen, librarian of the Maimonides Library, presented an admirable report, urging that the library be made free, which would secure the city appropriation of $5,000 for such libraries having a circulation of 100,000 volumes and $20,000 in real property. The present number of volumes in the library was 28,000, and the yearly circulation practically 50,000. The present tax for the support of the library was an assessment of forty cents on each member of the District.

The Hebrew Technical Institute was warmly eulogized by Bros. Peixotto, Thalmessinger, Leipziger and others, who strongly urged its support by the lodges of the District.

All the city lodges were fully represented. Among those from other places we noticed Hon. Isaac Rosnosky, Messrs. Daniels, Fox, Miranda, of Boston; Sigismund Levyn, of Buffalo; Martin Bier, of Rochester; N. C. Mayer, Dr. Mailhouse, of New Haven; S. Klein, of Bridgeport; S. Wehl, of Providence; J. Rosenthal, Pittsfield, Mass., etc., etc. Among the visitors were Hon. M. S. Isaacs, Hon. Adolph L. Sanger, Dr. S. B. Wolfe, Isaac Rosenbourgh, and many other prominent members of the Order.

A full report will appear in the next number of THE MENORAH.

Digitized by Google

NATHAN BLOOM

A LEADER has fallen in Israel. A good man and—in his life-work well performed—a great man has passed away.

Nathan Bloom is dead!

Incontestably the equal of any of all the Israelites whom the revolution of 1848 landed upon our shores, Nathan Bloom, in perfect uprightness, inflexible integrity and unvarying consistency of character, was unequalled. "Every inch a man," from the first, when he struggled against odds, to the last, when wealth and honors gathered thick and fast about his brows, he was ever true to principle, ever steadfast to the faith of his fathers.

Lovely in life, he was calm and brave in the hours preceding the final coming of death, and he died, as he had lived, a hero, clinging with unalterable faith to hope in a blessed immortality.

Our friend and brother in fraternity is not dead. His spirit still survives, and will live on indestructibly. Such lives are examples which strengthen and inspire, and, when the mortal part is taken from us, "still live" to urge us on with unfaltering courage and unalterable resolution.

America recognizes no titles of nobility. Her sons are the sons of toil. Her princes those of the steady hand and unflinching purpose. Foremost among her royal sovereigns are her merchants. They embody and represent her genius and her wealth. Without them her manufactures, her commerce would be as naught.

To their enterprise mines have their development, manufactures their being, commerce its life.

Nathan Bloom was a merchant *par excellence.* He comprehended the breadth and width of those enterprises which lift hamlets into towns and towns into cities; which consider not isolated sections, but embrace States and Territories, and include with their special work the duties and obligations of citizens and patriots.

Digitized by Google

The enterprising spirit which distinguished his commercial career permeated the whole character of the man and marked that enlightened grasp with which he regarded all philanthropic effort, believing there should be no discrimination made where the interests of humanity or charity were concerned. The "milk of human kindness" was so predominant in his nature that without distinction of race or color his hand was always "open as the day to melting charity." He truly believed it was more blessed to give than to receive, and his mercy and love extended to all creatures, the dumb brute no less than the sensate mortal.

When in a dark hour, Louisville like San Francisco was menaced with violence and bloodshed, it was Nathan Bloom who took the leadership of the Vigilance Committee to restore order and preserve property and the lives of citizens. Nathan Bloom shrunk from no responsibility, no task when peace and safety were in peril.

Louisville, which for more than thirty-six years knew him in every relation of life so well, mourns him as one whose image she will not soon see again. Identified with her history, he grew with her growth and strengthened with her strength until, without distinction of class, from the highest to the humblest of all nationalities and faiths and color, they followed him, weeping and mourning, to the grave.

Born on the 17th day of November, 1826, in the little town of Dalheim, in Hesse-Darmstadt, Germany, Nathan Bloom entered early upon the great battle of life. Taken from school at fourteen, he was apprenticed for three years to a mercantile profession, during which time, however, he was permitted to attend a commercial institute and acquire those sound principles of business which proved the basis of his success through life.

After the expiration of his apprenticeship, Mr. Bloom remained a number of years longer, but the slow methods of doing business in the Fatherland were not in consonance with his energetic and enterprising spirit, and when but a little past his majority he resolved to seek his fortune in the New World. Accordingly, he embarked for the then long

Digitized by Google

and perilous journey, and landed in New York in the spring of 1848.

His early lot in this country was similar to that of many other poor Germans who have since risen to eminence and wealth.

Lack of means compelled him to confine his transactions to small assortments of goods, with which he traveled over the interior towns of New Jersey, Pennsylvania, Ohio and Kentucky. He followed this business for two years, but in the autumn of 1850, by strict economy, having accumulated a small capital, he, with a Mr. Hirsch, a resident of Louisville, started in business at Yelvington, Davies County, Kentucky, conducting a general store. He was successful and prosperous there, and made many friends, who still remember him.

On the 15th day of January, 1851, Mr. Bloom was married to Miss Rosina Kling, and in the following year he sold out his business at Yelvington and removed to Louisville.

Here he entered into partnership with his brother-in-law, Mr. Emanuel Bamberger, in the wholesale dry goods business, the firm name being E. Bamberger & Co. The trade of the firm was at first confined to the adjacent counties of Kentucky and Indiana, but the honesty and integrity of the partners, combined with their business shrewdness and enterprise, soon increased the extent of their territory, until it comprised nearly all the States of the Southwest.

In the year 1872, the firm, which had admitted several new partners—its name having been changed to Bamberger, Bloom & Co.—moved into its present extensive quarters on Main Street, where it continued to do one of the largest businesses in the Southwest. The continued success and growth of this house, of which Mr. Bloom was for so many years the acknowledged head, and its remarkable record during the various financial convulsions of the last thirty years, overcoming, as it did, all difficulties, testified in the highest degree to the exceptionable qualities of Nathan Bloom as a merchant and financier.

Mr. Bloom did not confine himself to business alone, for

Digitized by Google

he was one of the most public-spirited of Louisville's citizens. He was always a steadfast adherent of the Jewish faith, but he was naturally liberal and progressive in his ideas, and other churches beside the Jewish were the recipients of his charity. There was no man in Louisville who was more benevolent or more judicious in bestowing alms than Nathan Bloom.

Mr. Bloom was always interested in the growth and development of Louisville, and did much to contribute to her prosperity. Besides being the head of the great dry goods house, he was a sharer in many other enterprises. He was a director in the Falls City Bank, the Louisville Gas Company, the Franklin Insurance Company, and several other financial societies, besides the vice-president of the Polytechnique Institute, the Southern Exposition and the Indiana Bridge Company.

But it was as a practical philanthropist that the memory of Nathan Bloom will ever be preserved and cherished. He believed in doing good deeds while yet a tenant of this terrestrial life, and his charities were constant and unremitting, restricted to no creed or color, and bestowed where their gift would be most fruitful in blessing.

President for many years of the beautiful Temple on Broadway, whose erection was largely due to his initiative, he was untiring in his efforts to promote the moral and religious training of children, and as a Director for twenty-five years of the Sabbath-school, his greatest joy was in the welfare of the tender plants he contributed so greatly to nourish and develop. Director of the Masonic Widow and Orphan's Home, and a firm friend of the Little Sisters of the Poor, he was also one of the Directors of the Cleveland Orphan Asylum. One of the founders of Har Moriah, he was also a Charter Member of Mendelssohn odge, and had successfully held all the highest offices in the Grand Lodge of the B'nē B'rĭth of District No. 2, and but for his declination would undoubtedly have been elected President of the last General Convention of the Order held in New York in 1885. In fact, in all the benevolent, educational and congregational movements of the past twenty-five years, whether of local or national character,

Digitized by Google

Nathan Bloom was always in the front rank to promote the general welfare and progress of Israel. He was truly a representative Israelite, and no man enjoyed a higher reputation for the activity, energy and generosity of his acts.

At 4:20 P. M., on Friday, Jan. 14th, surrounded by his beloved wife and children, Nathan Bloom breathed his last. He expired peacefully and almost without pain, and after death the gentle smile which was habitual never left his countenance. Thus has passed away another Son of the Covenant, whose whole life was emblematic of the principles of the Order. Nathan Bloom was one of nature's noblemen; an Israelite without guile; a citizen who never shirked his obligations; a patriot who never lost courage in the darkest hours of his adopted country's peril.

> "His life was gentle; and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world, *This was a man*!"

Farewell, brother, go visit the Grand Lodge of brethren on High! "Mayst thou find open the gates of heaven, and see the city of peace and the dwellings of safety, and meet the ministering angels hastening towards thee."

The Louisville *Courier-Journal* of Jan. 17th contained the following account of the obsequies:

"The funeral of Nathan Bloom yesterday was in every way a fitting testimonial to the high character of the dead merchant prince. The attendance was enormous. As early as one o'clock the street cars began to show signs of heavy travel southward, and from 1:30 to 2:30 P. M. not only were street cars packed with people en route to the obsequies, but there were also numerous vehicles and a constant stream of pedestrians moving out Fourth Avenue. The services were held at the late residence of the deceased, a palatial stone house on Fourth Avenue, beyond Oak Street. Although some five or six large rooms and the spacious hall were thrown open for the accommodation of the gathering, they were soon filled, as were also the yard and pavement in front. At least five hundred people assembled before the residence unable to gain admission, and they waited patiently until the body was brought out and placed in the hearse. Those who came to pay the last sad respects to the memory of the good man represented the poor, the rich, young and old, for none knew him but to feel the influences of his noble nature, and they were all genuine mourners at his bier. There were in the assemblage several hundred

Digitized by Google

of the most prominent representatives of professional, mercantile and social life of the city. There were also many of the poorer Jewish people, and every prominent Hebrew family in Louisville was there or was largely represented.

"The floral emblems sent by thoughtful friends were very numerous. The body was encased in an elegant casket, and lay in the second drawing-room. The coffin was completely covered with floral emblems of all designs. Flowers were everywhere. All the mantels were covered with them, and all the available space around was utilized as a resting place for anchors, columns, harps, crowns, wreaths of every description, pillows, etc. In the billiard-room the billiard-table was covered with emblems, and the space just in the rear of the casket was a perfect bower of white flowers.

"About fifty chairs were reserved in the vicinity of the body for the family and the immediate relatives, while through the open folding-doors a room packed with near friends was presented to view.

"Dr. Adolph Moses, of the Temple Adas Israel, arrived promptly at 2:30 o'clock, and a few moments afterward the chief mourners entered. The rabbi began the services by reading a selection from the Scriptures referring to Elijah's translation to heaven. The choir then sang very beautifully a hymn to the refrain of 'O Rest in the Lord.' The music was low and pathetic, and many eyes were tear-stained.

When the last wavering notes of the requiem had died away, Rabbi Moses took a position at the head of the casket and spoke as follows :

FUNERAL SERMON OF REV. DR. ADOLPH MOSES.

"Who is this whose demise, so long expected, has cast a gloom over the whole community? Who is it whose death has been heralded throughout the land as a public calamity, and as an event of national interest? What kind of life was his for whom this populous city mourns? He was not a member of one of the celebrated families of this country; his ancestors did not sign the Declaration of Independence or fight for American liberty.

"Forty years ago he landed on these free shores a poor, obscure Jewish emigrant; he has left this shore for eternity as one of the great self-made men of America, as a grand representative of the German people, and last, though not least, a leader and a prince in Israel. In him the unconquerable genius of the Hebrew faith and race, combined with the best qualities of the German people, and blended with the indomitable energy of the American nation, to produce a great, a unique character. Take him all in all he was a true man, a typical man in many senses of the word. He was possessed of a strong vital force, an ever-wakeful propelling motive, a burning, never sleeping ambition, such as animates all manly souls and fires heroic hearts, an ambition to rank among the best and foremost of the men of his time, to occupy the highest station attainable by strong noble efforts in behalf of his fellow-men. His intellectual powers were of a high order, his mind clear and

Digitized by Google

penetrating, quick of apprehension, firm of grasp, of comprehensive curiosity and constructive ability.

"Beneath these powers there were the living rock of devotion to duty and the well-spring of love for the good and the beautiful. He was as firm of purpose as adamant, yet soft to every touch of sympathy—resolutely marching along the path he had chosen, yet ever ready to turn back to listen to the appeal of a needy brother or succor the fainting. These constitute some of the powers that went to make up this great character. Blessed be the country which opened its arms to adopt him, blessed be the State that enfolded him. In closest and most intimate companionship with relatives and friends, he built up one of the greatest, if not the greatest, commercial house in the South. Its foundation was laid in integrity, the pillars that upheld it are of unyielding, of iron will; its walls were erected by solidity and honesty, its root was vaulted by bold enterprises, and within are blessings of long toil and years of manliest labor. This house is a monument, among other things, to his creative ability; a monument to the city. He was worthy of the city, for he helped to build it up. His hand was felt in every great enterprise for good. His name shall be inscribed in indelible letters in the golden book of merchant princes and benefactors. Verily, he has been a blessing to many. The bells of the city and State ring sadly for to-day's mourning, and many say, 'Blessed is the name of the upright.' There was no pride of wealth about our dead brother; he did not, in the arrogance of prosperity, renounce the faith of his fathers or deny his people, but clung with touching tenderness to his unhappy race. Noble Israelite! Blessed was thy name in life, blessed shall it be in death, worthy son of the people of martyrs, sufferers and prophets!"

"The choir then sang 'O Rest in the Lord,' and the pall-bearers filed in to bear the body to the hearse. It was taken away, followed by the family and friends, and interred in Adas Israel Cemetery. The funeral cortege was very large, and altogether the burial was one of the most imposing ever held in Louisville."

TRIBUTES OF RESPECT.

All the principal public bodies and societies of Louisville held meetings and passed resolutions of respect to the memory of the deceased, and on Tuesday evening, Jan. 18th, memorial services were held at Har Moriah and Mendelssohn Lodges, I. O. B. B., in honor of their late illustrious brother, Nathan Bloom. The order of exercises were as follows: Memorial Prayer, Rev. Bro. Dr. Moses; Resolutions of respect to the memory of the late Bro. N. Bloom by Har Moriah Lodge, No. 14, and by Mendelssohn Lodge, No. 40; Eulogy on Bro. Nathan Bloom, by Bro. Benjamin F. Peixotto, of New York, P. G. Saar; Tributes to the memory of the deceased, by Bros. A. Gerstle, Samuel Henle, G. Felsenthal, David I. Hevman and I. Hartfield; Benediction, Bro. Dr. Moses.

Digitized by Google

STORY OF THE ROUMANIAN MISSION.

CHAPTER VIII.

Cine scie, cine scie
Dac 'mpins de-a soartei vînt
M'oiŭ intoarce 'n veselie
Să sărut al tău pămînt. ALECSANDRI.

"*Alas! the mother that him bare*
If she had been in presence there
In his wan cheek and sun-burnt hair
She had not known her child." SCOTT.

IT was in the month of February 1871—and it was in the little white-faced town of Kronstadt in the Austrian-Hungarian province of Siebenbergen, that a stranger alighted at the door of the post-inn and asked for a room.

The winter was a bitter one, Europe had not known its fellow for twenty years, and in spite of his heavy fur mufflings our traveler shivered as he descended upon the hard frozen, snow-clad earth and caught the keen cutting air. About the middle height, he appeared smaller until his many wrappings were laid aside when he stood forth pale of mien and slender of build.

"*Ich brauche ein Schlafzimmer. Ich will die Nacht hier bleiben,*" were his first words as he encountered a portly man whom he easily recognized as the *Wirth* of the hotel.

While his room was being prepared, our traveler placed himself at one of the tables in the *Salle à Manger* and, while waiting for a simple repast, took up the latest number of the *Neue Freie Presse* the leading republican journal of the Austrian capital, which he proceeded to peruse.

Suddenly he started as if struck by some passage of unusual interest, which no sooner had he finished than he rose up and addressing the *Wirth*, said:

"*Wie viel Meilen sind es von hier nach Buckarest?*"

"*Es sind ungefähr achtzig Meilen.*"

Digitized by Google

"*Was für ein Weg ist es?*"

"*Der Weg ist im Ganzen nicht sehr schlecht.*"

"*Bestellen Sie mir drei Pferde. Ich will morgen früh um fünf abreisen.*"

"*Gut, mein Herr.*"

Reseating himself, our traveler now addressed himself to the contents of the dishes which had meanwhile been served, but he ate without appetite, drinking the sour wine, however, with apparent relish.

Bitter chill as the early evening was, no sooner was his meal dispatched than our traveler muffling himself in his furs, sallied forth on a stroll through the quiet Transylvanian town. Kronstadt is an old town and has been the scene of many stirring events. The Turks and Russians and the Austrians have successively occupied and contested for its mastery as the key to greater achievements. An old wall, now almost dismantled, runs round a portion of the town and about it rise high hills with the Capellenberg rising loftily behind the venerable Cathedral and directly in face of the Stadthaus. It was to the door of the Cathedral our traveler directed his steps, a structure dating back its origin more than five centuries and which, though originally constructed by and for Roman Catholics, had since the Reformation (in the time of which it was the scene of more than one of those mighty struggles which so marked that momentous period) passed into the hands of the Protestant Lutherans, by whom it had been greatly improved. The church contains the largest organ in the Austrian-Hungarian Empire and its magnificent, solemn notes were pealing forth as our traveler passed the portals and found his way to a seat.

How sublime is Church music! There is no occasion for sermons or the utterances of prayers by priests when the voice of music speaketh to the soul, for no human voice can reach the heart and stir its emotions with half so powerful an influence.

Indeed, so soon as the notes of the organ ceased and a

Digitized by Google

human voice began to utter its sounds, our traveler quitted the building and betook himself to the silent street.

Finding his way along the promenade, he commenced the ascent of the grand old mountain, how much older than the Church no human record tells. It was a long ascent, but the way was not difficult and the pauses on the road offered constantly fresh surprises and delights of scenery. When the summit was at length reached at the end of a full hour, the moon greeted the sight of the solitary pedestrian, revealing as she bathed all surrounding objects in her soft white light splendors no words can fittingly portray. The wall of a broken stone fortress, built by the Russians and thrown down by the Austrians, gave our traveler a parapet upon which to sit and gaze.

Beneath him, nearly three thousand feet, lay the white-faced city, for such more than ever it appeared robed in the silvery light of Lunar, the white front of its houses and slate and tiled covered roofs wearing a strange and peculiar aspect as if of mausoleums. Not long he lingered here, but betaking himself to the highest elevation of the mountain, looked away to the north and to the east and to the west over a plain so vast as seemed to have no limit and whose range took in seven villages, each named after the seven mountains from which comes the German name of the country—*Siebenbergen*, (The Seven Mountains), known in French as Transylvanie.

The utter solitude of the scene was in keeping with the spirit of the mortal who gazed upon it.

The rugged rocks cropped out on every side with their beards of snow torn half away by the wind. Above him on the right rose the chain of the mighty Carpathians whose eternal snow-capped summits for once found companionship in all the lesser children of the mountain-range.

It was near midnight when our traveler descended and the Cathedral's deep-toned bell was ringing forth that hour when he entered the door of the "Grünen Baum" and with a parting injunction to be ready at five, bade his host "*Gute Nacht.*"

Digitized by Google

Open Letters

SHALL THE ORPHAN ASYLUM BE SOLD?

Your correspondent "Vigilance" has raised a question which, no doubt, had for its aim not the subject of its title, but the more serious problem of immigration, and only used the startling heading to attract attention to its real object.

I say this, not believing that any man would for a moment consider the idea of selling the Orphan Asylum. This noble institution is not only an ornament to the city, but an exceptionable honor to the Jews of New York. It is, above all other charitable institutions, the one which reflects the highest credit on their benevolence, the contributions and donations coming with a spontaneity unequalled in the history of Jewish charities in this country.

No. The Orphan Asylum must stand, and will endure as long as one brick is left upon another.

This does not preclude the idea of establishing an Agricultural School, with farm, in the vicinity of New York, and I hope to see this excellent suggestion speedily acted upon.

RATIONAL.

Here is another little gem which will find an echo from many a toiling brain—a journalist's brain above all:

Weary, so weary; oh weary of tears;
Weary of heart aches and weary of fears;
Weary of moaning and weary of pain;
Weary, so weary of hoping in vain.

Weary, so weary of the burdens of life;
Weary of toiling and weary of strife;
Weary of parting and weary of night;
Weary, so weary, and longing for light.

Weary, so weary of waiting alone:
Weary of asking—receiving a stone;
Weary of watching, weary of jeers;
Weary, so weary of taunts and of sneers.

Weary, so weary—but sometime I'll rest,
Dreamlessly sleeping, hands crossed on my breast,
No more to sorrow, no more to weep;
Only to lie down and quietly sleep.

Digitized by Google

PHILADELPHIA, January 11, 1887

To B. F. PEIXOTTO, ESQ., EDITOR MENORAH.

DEAR BROTHER:

Some one remarked the other day that the editor of THE MENORAH was the "right man in the right place." It did not occur to me as strikingly original, yet in this instance the expression was undeniably true, and I doubt if another man could be selected as well adapted to the work. The magnates of our Order certainly displayed good judgment when they authorized the establishment of an official organ, and placed it under its present editorial management. I heartily congratulate you, old friend, on the brilliant success you have achieved, and the great benefit and pleasure you are now conferring on the members of our Order, by giving them a clean and pure magazine, distinguished by rare literary merit, filled with valuable information, and marked by the absence of those degrading personalities that editors find it difficult to avoid. I do not usually deal in compliments, and yet I wish I could utter them with that courtly, gentle grace that is so distinguishing a trait of your very nature, but I am miserably awkward at such attempts.

So you want to hear something from District No. 3 of the B'ne B'rith. I am willing to gratify you, although rather at a loss what to write about this quiet, uneventful, go-as-you-please District. Unusually quiet are we at this time in the year. Having adopted biennial sessions of the Grand Lodge, and this being an "off-year," there is no excitement at lodge meetings, no eager contest to be representatives, no binding (and blinding) instructions, making wooden men of lodge delegates, no electioneering for Grand (!) Lodge officers. Even Jersey, the cast-off child of District No. 1, now gathered under our fostering care, is no longer on the war path, but, docile as a lamb, is giving the old secretary a rest. There is not even a ripple to disturb the placid surface of lodge circles, except, perhaps, some harmless ebullitions on the endowment subject, arising from the unexpected, though natural, increase in the death roll. And this reminds me there is something to write about—to wit, our endowment muddle. Beyond doubt, it would amuse you hugely and astonish our good Brother Bush, if both of you could listen to the learned arguments and sage dissertations on the question of endowment—that gravest lodge problem of the day—by parties who scarcely understand the multiplication table.

No doubt, it is well known to you that the ruling powers of thi

Digitized by Google

District, governed and controlled by their lodges, have heretofore entertained rather cramped and crude notions on this vexed question, and have steadily prevented the accumulation of any surplus fund for endowment purposes. We have excelled other Districts in the Order in regularly sending to the Grand Lodge a *coterie* of obstructionists who have persistently fought every progressive movement—a minority, it is true, but still one powerful enough to defeat wholesome legislation.

Let us glance briefly at the subject. An endowment law taxing each member in the District fifty cents whenever a death occurs, the proceeds of which, when collected, to be paid to the widow or orphans, was established in August, 1869, and, though frequently amended and altered in many particulars, never provided for a reserve fund, all efforts in that direction being continually defeated. For the last fifteen years (commencing in 1872) the writer and a few others have time and again struggled to impress unimpressionable men with the necessity of adopting some precautions for the future, but in vain; for it was always much easier to persuade the brethren not to tax themselves than to arouse them to the absolute necessity of doing so. All efforts to get the subject before the Grand Lodge proved futile until the year 1883, when a proposition was laid before it for creating a surplus endowment fund, but when it came to a vote only EIGHT representatives had the courage to place themselves on record in its favor. In the year 1884 a similar project was brought forward, and its discussion indefinitely postponed; this time twenty-five voting for a consideration of the subject. Encouraged by this increase, in the following year (1885) another endowment law was framed and voted upon, which received forty-three votes—not quite sufficient to make it a law, although exhibiting a gratifying change in support of the measure. The battle was nearly won, when the special convention of the Order (in March, 1885) settled the matter, and rendered compulsory the adoption of some law looking to a reserve fund. In January, 1886, our Grand Lodge adopted the present laws, which went into operation April 1st, and are based upon the "Bush plan." These laws provide that the contributions to the Widow and Orphan Fund shall be as follows, an amount entirely inadequate to produce any desirable result:

From every member unsuspended at the time of the adoption of this law, or who may be reinstated after suspension, not exceeding one year, the sum of one dollar and thirty-five cents for each and every month.

From members initiated after the adoption of this law, or reinstated in the Order after suspension of more than twelve months, as follows:

Digitized by Google

From all between the ages of twenty-one and thirty years, the sum of one dollar and thirty-five cents for each month.

From all between the ages of thirty and forty years, one dollar and fifty cents for each month.

From all between the ages of forty and forty five years, two dollars for each month.

From all between the ages of forty-five and fifty years, two dollars and fifty cents for each month.

Have our eyes opened to the impending danger when too late to guard against disaster. There are many who fear so. Had the present law been enacted ten years ago, how different would have been our present position! A fund of over $150,000 would have accumulated (probably much greater), instead of which, an absolute deficiency in the first year of trial will surely be the result. And why? Because our wise men went into a life insurance business not only without capital, but taking risks at an average of about half the proper rate; and now, having discovered their error after every one has grown fifteen years older, added to a decreased business, they are surprised that they cannot succeed at what should have been the rates charged at or near the first.

We have been working nine months under the new law, and have collected about $36,000 during that period, against accruing liabilities for $40,000. Of course these figures are not exact, but sufficiently so to tell the tale, and, taken in connection with a decrease in total membership of over sixty during the last year, is sufficient to set folks thinking. The only salvation is in an accession of membership and an increase in the assessment for endowment purposes—not one, but *both*. In other words, the rate for insurance must be fixed at a scale approximating that charged by some insurance companies, and younger life must be infused into the organization. Thus are we reaping the bitter fruit of a lack of judgment, blind obstinacy and ruinous delay. Will the esteemed editor or honored Bro. Bush point out any remedy for this unfortunate condition of affairs? and, in doing so, take into consideration the following facts;

According to a statement compiled, after much labor, by the secretary of the District, on the 1st October, 1886, there were 2,867 members in the thirty-nine lodges whose average age was 45½ years. They were thus divided: 269 between the ages of 21 and 30; 769 between 30 and 40 years; 846 between 40 and 50; 632 between 50 and 60; 270 between 60 and 70; 81 over 70. Food for serious reflection, is it not?

En passant, Bro. Lewis Abraham, in his paper on "Consolidation

Digitized by Google

of Jewish Orders," published in THE MENORAH, draws a parallel between the laws of the I. O. B. B. and the O. K. S. B., showing how nearly alike they are in character. No wonder; because at the convention of the latter Order in 1879, the committee on laws clipped whole pages from the laws of the B'ne B'rith, suggesting but little that was new, and when the bright and able chairman of the committee was told by the writer that he and his colleagues were capable of presenting new and original ideas, the reply was that the mother Order was just the one to copy. Therefore, it need not be a matter of surprise that this great similarity still exists, although the laws of both Orders have since then undergone many changes. But our good brother suggests no plan to carry out so improbable a scheme as consolidation, however devoutly to be wished. The writer has warmly advocated it in the columns of the press and in the Grand Lodge in the years 1882 and 1883, but is convinced that there never will be *consolidation*—it will result simply in "the survival of the fittest" For obvious reasons, too numerous to mention, a union of the Jewish Orders into one body cannot be effected, but the abandonment of present organizations and the merging of all into one entirely new body might be realized, if based upon the nobler aims of our race—its mission of philanthropy and enlightenment, of protection, defence and advocacy of Jews and Judaism.

But the length of my paper warns me that I must cease. When our statistical statements for the past year are completed, I will forward you an abstract for publication.

ALFRED T. JONES.

Literature, Art and Miscellany

The Jews in Munkacsy's great painting of *Christ before Pilate* are not the Hebrews of 1900 years ago. With the exception of the High Priest and one or two at most, the faces are those whom one meets on the streets of Warsaw and Cracow. They are the hard features of the Jew who, hunted by the bloodhounds of relentless persecution, have lost all those fine Semitic traits for which the sons of Judah were at this time, when Pontius Pilate was Governor of Jerusalem, still distinguished. Pontius himself looks more like an Irish priest than a Roman ruler. As an historical work the tableau s a failure, as a character painting it is a marvelous success.

Digitized by Google

The grouping of the figures is admirable. In breadth of treatment and in strength of execution it is masterly—its coloring is superb.

Ars est celerae artem.

We do not think Munkacsy has succeeded in this respect.

BOOKS RECEIVED.

"Isaac Markus Jost und Seine Freunde," by Dr Heinrich Zirndorf. Bloch & Co., Cincinnati. It is a pity this admirable biographical sketch appears in German. Our Jewish American youths are in need of just such books. We shall however review the work, and thus give the author and his subject the attention they so richly merit.

"The Jewish Law of Marriage and Divorce, in Ancient and Modern Times," by Rev. Dr. Mielziner. Bloch & Co. An early review of this work will appear in the MENORAH. Both of the above works may be had at our office.

Affairs of the Order

The four lodges of Boston held a joint public installation of officers during the past month, the President of the District, assisted by several other officers of the grand lodge, officiating. A large audience participated in the ceremonies.

Rev. Bro. Dr. Adolph Moses is the new President of Har Moriah Lodge No. 14, of Louisville, and was publicly installed in his new office by P. G. Saar Peixotto during the past month. Bro. Moses, with his characteristic energy and distinguished ability, will be sure to revive the long-slumbering activity of this once vigorous lodge.

Independence Lodge No. 96, of New York, held a public installation of her newly-elected officers on the 16th ult., at their rooms on Union Square. Addresses were made by Bro. Julius A. Levy, President of the Grand Lodge, and Brothers B. Metzger, D. L. Walter and Benjamin F. Peixotto.

A banquet followed the ceremonies. The attendanee of ladies outnumbered the brethren.

Annual Meetings of Grand Lodges.—The Grand Lodges of Districts Nos. I., IV., VI. and VIII. held their annual meetings

Digitized by Google

respectively at New York, San Francisco, Chicago, and Berlin (Germany) during January.

In our present number we can only notice the fact, the lateness in the month (Districts Nos. IV. and I. assembling on the 23d and 30th), precluding details which will be given in our next issue.

The 19th Annnal Convention of D. G. L. No. 6, I. O. B. B., met at Chicago on the 16th ult., and was in session nearly three days. Eighty delegates were present, representing the principal lodges of the North-Western States.

The membership of the District was reported at 2,530.

There were twenty-one deaths during the year, and $21,000 consequently under the Endowment Law paid to widows; $5,448 was given to the Cleveland Orphan Asylum; $707.50 to the Charleston sufferers; and $100 voted to the *Alliance Israelite* of Paris.

Extract from the tribute to the memory of Nathan Bloom before a joint meeting of the Lodges of Louisville by Brother Samuel Henle.—"There is no place more appropriate to pay tribute to the memory of our lamented brother, Nathan Bloom, than within the lodge room of this Order. Here it was where opportunity first was given him to develop the noble traits of his better self. What an unfolding of great virtues! How elevating to listen to his expounding the teachings of this Order, and how grand to behold in his deeds the full realization of those teachings. What a lesson for us to learn from such a life! From his early manhood he took an active part in the noble work of bettering the condition of his fellow creatures. No sacrifice was ever too great for him when the object to be attained was for the good of humanity. He was among the pioneers of this Order and its ever standfast champion. The Orphan Asylum was nearest to his heart. His desire to do good did not confine his acts of benevolence to our Order. No; he delighted to do good without distinction of race, creed or color. We will sadly miss him in our counsels—we deeply mourn his loss—but not we alone, a whole people mourn with us. Young men, let the memory of our patriarch spur us on to take up the work where he has left it. Let everything that is good and noble within us be given full scope to develop our better nature that we may securely build upon the corner-stone laid by our illustrious and lamented Brother Nathan Bloom.

"Sleep well, thou noble scion,
Of Israel's brightest days,
When selfish thoughts were foreign
And love prevailed always.

Thy life-work is not ended,
Thy spirit lingers still,

Digitized by Google

As all thy actions tended
That way we will fulfil.

Sleep then, thou noble spirit,
Rest calmly in that sphere.
Where the wick'd cease from troubling,
And the weary have no fear."

Monthly Record

The first annual meeting of the Hebrew Technical Society since its organization on a membership basis, was held on the 7th ult., and was remarkable for the interest displayed in its welfare by some of the foremost among the leaders of Jewish sentiment in New York. Conspicuous among others, Messrs. Jesse Seligman, Lazarus Rosenfeld, Lewis May, Jacob H. Schiff evinced an enthusiasm for the objects of the Institute gratifying in the extreme. From the report of the President, James H. Hoffman, Esq., and the Secretary, Henry M. Leipziger, Esq., much valuable information was given, which is so well put forth in the summary of the *American Hebrew*, that we feel we cannot do better than to quote the same *in extenso*, adding, that we heartily endorse every word, and earnestly join in commending the work as one most effective and practical. We particularly commend the support of the Institute to the members and lodges of the B'ne B'rith of District No. 1. The *Hebrew* says:

"It was the first meeting at which the director has been able to announce a graduating class. It is indeed gratifying to observe, that eighty-six Jewish boys are being trained in a manner such as will fit them for the higher walks of artisan life. These will certainly have no temptation to enter the lower commercial sphere. When they complete the course at the Institute, they will have secured an education that is superior by far to that which they would have received in the public schools, in that it is of a more practical nature and better adapted to equip them for the battle of life. It is superior to that, also, because it has been in the truest sense an education, as it has been applied to the whole nature of the pupil, and considered all his faculties. It has developed his powers of observation, trained his artistic sense, nurtured his dexterity, as well as stimulated his mental powers. It would be difficult for the members of our community to over-estimate the importance of giving such an education to as many of our Jewish boys as we can reach. It behooves them, therefore, to see to it that the Hebrew Technical Institute is placed on so substantial a financial footing as to ensure for it the greatest efficiency, and the facilities such as will accommodate all the applicants for admission whom it can secure. The President estimates that the expenses for the year, exclusive of building expenses, will

Digitized by Google

be not less than fifteen thousand dollars, while the anticipated receipts, based on the present sources of income, will only be eleven thousand dollars. Four hundred additional members will cover this deficiency, and these should be obtained, and could be, if the friends of the Institute would make an earnest effort to do so. During the past week the school has been removed to its new quarters, on which $24,000 is still owing, while $10,000 is the amount incurred for fiting up the structure. To meet these demands, the proceeds of the ball of the Purim Association of this season will be devoted to the Institute. This fact should inspire the Israelites of New York to make this ball one of the grandest, financial and social successes of the season."

The New Temple in Harlem.—We learn that the Building Committee have several eligible locations in view for the erection of the new Synagogue in Harlem, but are quite likely to decide upon the site at the corner of Madison Avenue and 120th Street.

No more central or appropriate locality could be desired, and if taken will undoubtedly contribute decisively to the success of this laudable undertaking to provide a suitable house of worship and school for the Harlemites. In this connection we are pleased to learn that the appeal of the committee to our co-religionists of the city in general is meeting with that generous encouragement for which New York Israelites are distinguished.

A Purim masquerade ball of the olden time will be given in March in further aid of the new edifice, and will no doubt be one of the events of the season. "Queen Esther and Mordecai have cabled from Shushan promising to be present."

Ex-Consul Benjamin F. Peixotto has accepted the following appointments to lecture during February: On the 2nd, before the Y. M. H. Association, at the Temple Beth-El, corner Lexington Avenue and 63rd Street. Subject: "What shall we do with our Immigrants?"

On the 22nd, at Boston before the United Lodges. Subject: "Moses and Washington."

On the 27th, before Edward Everett Lodge, at the New Webster Hall, New York. Subject: "Roumanian Reminiscences."

Also on March 2nd, at Washington, D. C., before the Standard Association. Subject: "Palestine, personal reminiscences."

Purim Association Ball.—With that chivalrous spirit which the sons of Mordecai and cousins of Esther have ever displayed, the Purim Association will give a grand ball at the Metropolitan Opera House, March 10, in aid of the Hebrew Technical Institute. This will incontestably be *the* affair of the season. The mantua makers,

Digitized by Google

jewelers, lace fabricants, the tailors, shoemakers, coiffeurs, etc., etc. are already busy as bees. Be sure and procure your tickets early.

"On with dance, let
Joy be unconfined."

Hebrew Free School at Harlem.—The annual entertainment given on Sunday, the 24th inst., by the children of the *Hebrew Free School* of Harlem was a brilliant success, rejoicing the hearts of parents and friends who filled Association Hall to overflowing to witness the exercises.

Too much praise cannot be showered upon Rev. M. H. Harris, and the School Committee, Messrs. Emanuel, Metzger and Czagi, for their untiring efforts in behalf of this charming Festival.

Editor's Bureau

Want of space prevents us from continuing the discussion of several important subjects referred to in a previous number, notably the work of the United Hebrew Charities. The subject is of serious import, and will receive early attention.

Among the bequests of our late Brother Nathan Bloom, $2,000 is given to the Cleveland Orphan Asylum, and $1,000 to the Montefiore Home for the Infirm of the same city; the former founded by the B'nē B'rith, the latter by the Kesher Shel Barsel.

A German Edition of the MENORAH for European readers will be issued about the 12th February. It will contain an abstract of the principal proceedings of the recent Annual Meetings of Districts No. I, IV, VI and VIII, American lodge news and contributions from several eminent members.

Brentano Brothers have issued, reprinted from the *Nineteenth Century*, "Gladstone on the New Locksley Hall." It is a neat little *brochure*, and, written by the "Old Man Eloquent," will richly repay perusal, even though we may not share entirely all his criticisms of the Poet Laureate's latest production.

The present number of *Book Chat*, by the same publishers, is exceedingly interesting as a guide to book buyers.

Digitized by Google

We are in receipt of excellent letters from Bros. Alfred T. Jones, Secretary of District Grand Lodge No. 3; G. A. Levi, President of D. G. L. No. 7; Joseph Abraham, President of the Court of Appeals; L. Aronheim, of District No. 8, Berlin, and others, for which the worthy writers will please accept our best thanks. Our correspondence has grown so large that it is impossible, however greatly we could wish to do so, to give immediate replies; but with due time no letter will be neglected. On the contrary, we invite correspondence from all quarters, and promise replies sooner or later.

We clip the following from the *Occident* of Chicago:

"During the recent convention of District Grand Lodge No. 6, I. O. B. B., Mr. Henry Greenebaum, of Chicago, in speaking of the ability and wisdom of the Executive Committee of the Order, closed his remarks with the following glowing words:

"'Of all the men I have ever met in the course of my life, if there is one man for whom I feel a more profound admiration than I do for anyone else, it is the President of the Executive Committee of the Order, Bro. Julius Bien, of New York.' The sentiment was received with rapturous applause."

In passing through Cincinnati, having a few hours to spare, we visited with our friend Wm. Goodheart, who so dearly cherishes the cause of Jewish education, the Hebrew Union College. The president being absent from the city, we were received by the faculty, our friends, Dr. Mielziener, Dr. Zirndorf and Prof. Dr. Davidson. In each of their classes we heard recitations, and were gratified exceedingly with the proficiency and excellence of the students.

The Union College should receive the unstinted support of the entire Jewish community of the United States. It is an American institution, and during its brief existence of little more than ten years, has turned out several graduates who are now filling with distinction pulpits in different sections of the country.

In the death of Nathan Bloom, the Order B'nē B'rith loses one of its foremost and most upright and devoted sons. A man of peerless worth in all the relations of life, his untimely death has cast general gloom throughout our Brotherhood.

He was one of the first who at our call came forward to help, found THE MENORAH, thus testifying his elevated appreciation of a work calculated for the higher objects of the Order.

Digitized by Google

Elsewhere we have paid a feeble tribute to his memory. No words could adequately express the grief felt at the loss of such a man. As a further memento, we give our readers a portrait of the deceased which, for its fidelity and beautiful execution will be a precious souvenir, to be treasured by all who knew him in life and mourn him in death.

"Green be the turf above thee,
Friend of my early days;
None knew thee but to love thee,
Nor name thee but to praise."

The Louisville *Courier-Journal* of the 15th ult., the day after his death, paid the following tribute to the memory of Bro. Bloom, the article being its leading editorial:

"The death of Mr. Nathan Bloom removes one of our most public-spirited citizens. He was foremost in all good works. Few took such pride in the city's advancement, or were willing to do so much to help it forward. Local pride was strong within him, and his assistance in no public enterprise was ever asked in vain. Mr. Bloom was esteemed alike for his integrity and his intelligence, and his advice was sought on all occasions. His benefactions were numerous and constant, and none knew the extent of them. He dies rich in the esteem of his fellow-citizens, an esteem won by years of upright dealing and open-handed generosity to all deserving charities; and it is an inheritance more to be desired than riches. Among that small band of enterprising, active men of all ages, who were ready at any time to serve the public at every sacrifice of personal ease or private advantage, it will be difficult to find the peer of Nathan Bloom."

As we go to press, telegrams from San Francisco to Brothers Julius Bien, president, and Meyer Thalmessinger, secretary, of the Executive Committee, and to the editor of THE MENORAH, give the joyful news that the burning question of Endowment which threatened so menacingly, has been amicably settled by the annual convention of District Grand Lodge No. 4. All honor to the patriots of the Pacific Coast.

"Behold how good and how pleasant it is for brethren to dwell in unity!

"It is like the precious ointment upon the head, that ran down upon the beard, even Aaron's beard; that went down to the skirts of his garments as the dew of Hermon and as the dew upon the mountains of Zion; for there the Lord commanded the blessing, even life for evermore."

Digitized by Google

OFFICIAL DEPARTMENT

REPORT OF CHARLESTON EARTHQUAKE FUND

DECISIONS OF THE COURT OF APPEALS.

EXECUTIVE-COMMITTEE.

Julius Bien, President,	New York.
Josiah Cohen, Vice-President,	Pittsburg, Pa.
M. Thalmessinger, Secretary	New York
Isidor Bush, Treasurer,	St. Louis, Mo.
Wm. Lovenstein,.	Richmond, Va.
Joseph Hirsh,	Vicksburg, Miss.
Edward Rubovitz,	Chicago, Ill.
Joseph Bien	San Francisco, Cal.
D. Wolff,	Berlin, Germany.

COURT OF APPEALS.

Joseph Abraham, President,	Cincinnati, O
Adolph L. Sanger,	New York.
M. K. Cohen,	Philadelphia, Pa.
Jacob Greenebaum,	San Francisco, Cal.
Simon Wolf,	Washington, D. C.
Adolf Kraus,	Chicago, Ill.
Leo. N. Levi,	Galveston, Tex.
Jacob Shroder,	Cincinnati, O.
Morris Goodhart, (For D. G. L. No. 8),	New York.

Digitized by Google

Charleston Earthquake Fund

OFFICIAL REPORT

M. W. DISTRICT GRAND LODGE, No. 5.

TARBORO, N. C., Dec. 27th, 1886.

JULIUS BIEN, ESQ.,

President Executive Committee I. O. B. B., New York.

MY DEAR SIR AND BRO.:

I herewith enclose final report of receipts from contributions received from the lodges of our Order, and from other sources, in aid of the brethren who suffered from the late earthquake at Charleston, S. C.

I desire, sir, to express to you, and through you, to the entire Order, my most heartfelt thanks for the liberal response of the lodges in answer to your appeal.

This kind manifestation of benevolence and brotherly love will never be forgotten by the District I represent. I also enclose resolutions from Dan Lodge No. 93, of Charleston, S. C., adding regards and best wishes.

Fraternally and truly yours,

HENRY MORRIS,

President D. G. L. No. 5.

CHARLESTON, S. C., Dec. 15th, 1886.

To BRO. HENRY MORRIS,

President M. W. District Grand Lodge No. 5, I. O. B. B.

DEAR SIR AND BROTHER:

The undersigned Committee on Relief beg leave to report that they have received in all the sum of forty-four hundred and thirty-five dollars ($4,435), as will appear from the exhibit hereto annexed, of which amount forty hundred and fifteen dollars ($4,015) was contributed by lodges of the Order; two hundred and eight dollars ($208) by the Jews of Dallas, Texas, and one hundred dollars ($100) by the Hebrew Benevolent Society of Charleston, and one hundred and eight dollars ($108) by District Grand Lodge No. 4.

Of this sum, thirty-five dollars ($35) has been used for the necessary incidental expenses of the committee, and twenty-four

Digitized by Google

hundred dollars ($2,400) disbursed for the relief of such of our brethren and the widows of deceased brothers who applied to us for aid, or whom we sought out and assisted, leaving still in our hands the sum of two thousand dollars ($2,000). We decided that it was best for us to hold this balance to meet a similar future emergency and to further relieve the sufferers by the late earthquake in the future, if necessary. While the losses of our members by the late calamity aggregate about sixty thousand dollars ($60,000), only ten thousand and two hundred dollars ($10,200) claims were presented to us, of which we allowed twenty-four hundred dollars ($2,400), or say about twenty-four (24) per cent., some claims being paid in full, and others scaled as low as five (5) per cent., due either to misstatement of damage, or that applicant had received sufficient aid from the City General Relief Fund, or that his own resources were otherwise sufficient; but some appropriation was made on every application.

Your Committee deem it improper to report to you the names of the beneficiaries of our brethren's bounty, but are, of course, prepared so to do whenever called upon. Every applicant received what we thought it right for us to give him or her, having due regard to such applicant's resources: in two instances we gave where no application was made.

We annex hereto a copy of the circular letter and blank application, which we sent to every member of the Order who resided in this city. Wherever immediate relief was needed we promptly gave it.

Profoundly grateful to our ever open-handed brethren and co-religionists throughout this country for their sympathy and generosity,

We remain, yours fraternally,

NATHANIEL LEVIN,
MAX FINEHGOTT,
T. MOULTRIE MORDECAI,
} *Committee.*

Attested by

T. MOULTRIE MORDECAI,

Secretary and Treasurer

Digitized by Google

CHARLESTON, S. C., Dec. 15th, 1886.

To BRO. HENRY MORRIS,
President M. W. District Grand Lodge No. 5, I. O. B. B.

DEAR SIR AND BRO.:

The undersigned Committee on Finance beg leave to report that they have examined the accounts of Bro. T. M. Mordecai, Treasurer, together with the various vouchers for receipts and disbursements, and find them in due form, and the same are hereby approved.

NATHANIEL LEVIN,
MAX FINHEGOTT.

DAN LODGE No. 93, I. O. B. B.

CHARLESTON, S. C., Dec. 12th, 1886.

The manifestation of sympathy by the Lodges and Brethren of the I. O. B. B., as well as our co-religionists generally throughout the United States, and their generous donations in aid of our brethren in this city, whose distress and suffering, caused by the earthquake in August last, have been thereby relieved, have awakened the sacred emotion of gratitude in the heart of every member of Dan Lodge.

Recognizing in their most enlarged sense the benign principles of our Order that prompted this benevolent action, and desirous of placing on record our heartfelt appreciation of this manifestation of brotherly love and charity; be it therefore

Resolved, That the members of Dan Lodge tender to the lodges and members of our Order and the other contributors their sincere and grateful thanks for the generous aid rendered to our brethren of Charleston, which has relieved their distress and also assisted the widow and the orphan.

Resolved, That the grateful thanks of this Lodge be and are hereby tendered to Bro. Julius Bien, President of the Exec. Committee of the Grand Lodge and his colleagues of the Exec. Committee, and also to Bro. Henry Morris, President of District Grand Lodge No. 5, whose zealous efforts were instrumental in causing the stream of benevolence to fertilize our arid soil, and thus bring forth the blossoms of joy and happiness to the poor and the sick.

Resolved, That copies of the foregoing be engrossed and the seal of our lodge attached thereto, and forwarded by our Secretary to the above-named brethren.

Extract from the minutes.

J. N. LOEB,
Secretary.

Digitized by Google

SUBSCRIPTIONS.

1	New York, New York City,	$10 00
2.	Zion, New York, N. Y. C.,	50 00
3.	Saron, New York, do.,	10 00
4.	Bethel, Cincinnati, Ohio.	25 00
5.	Hebron, New York, N. Y.,	10 00
6.	Jerusalem, Cincinnati, Ohio,	10 00
8.	Har Sinai, Philadelphia, Pa.,	10 00
9.	Lebanon, New York, N. Y.,	25 00
10.	Har Moriah, Philadelphia, Pa.,	5 00
11.	B'er Scheba, New York, N.Y.,	15 00
12.	Har Nevoh, Philadelphia, Pa.	10 00
13.	Ararat, Hartford, Conn.,	50 00
14.	Har Moriah. Louisville, Ky.,	10 00
15.	Jordan, New York, N. Y.,	25 00
16.	Solomon, Cleveland, Ohio,	25 00
17.	Schiloh, Albany, N. Y.,	15 00
19.	Washington, New York, N. Y.,	50 00
20.	Mount Carmel. Cincinnati, O.,	25 00
21.	Ophir, San Francisco, Cal,	25 00
22.	Missouri, St. Louis, Mo.,	10 00
23.	Joshua, Philadelphia, Pa,	10 00
24.	Thisbe, Evansville. Ind.,	10 00
25.	Horeb, New Haven, Conn.,	25 00
26.	Salem, Harrisburg, Pa..,	5 00
27.	J. Sahadutha, Boston, Mass.,	25 00
28.	Hillel, Brooklyn, N, Y,,	10 00
30.	Judaea, Easton, Pa.,	61 00
31.	Tabor, Newark, N. J.,	10 00
32.	Herman, Danville, Pa.,	5 00
33.	Ramah, Chicago .Ill.,	25 00
34.	Pisgah, Detroit, Mich.,	50 00
	Jews of Dallas, Texas,	208 00
37.	Etham, Sacramento, Cal.,	50 00
38	Rehoboth, New York, N. Y.,	10 00
39.	Arnon, New York, do.,	10 00
41.	Gilead, Milwaukee, Wis.,	10 00
42.	Modin, San Francisco, Cal.,	10 00
43.	Garizim, Grass Valley, Cal.,	10 00
44.	Jericho, Pittsburg, Pa.,	10 00
46.	Maimonides, Nashville, Tenn.,	25 00
47.	Ibn Ezra, St. Louis, Mo,,	10 00
49.	Isaiah, New York. N. Y.,	25 00
50.	Elijah, Washington, D. C.,	50 00
51.	Montefiore, San Francisco, Cal.,	25 00
52.	Nevada, Virginia, Nevada,	20 00
53.	Zerubabel, Rochester. N. Y.,	25 00
54	Montefiore, Cleveland, Ohio,	25 00
55.	Eschol, Dayton. Ohio,	10 00
58.	Abraham, Indianapolis, Ind.,	10 00
59.	Jeshurun, Philadelphia, Pa.,	20 00
60.	King David, Baltimore, Md.,	150 00
62.	Zion, Columbus, Ohio,	25 00
63	Samuel, Brooklyn, N. Y.,	10 00
65.	Oregon, Portland, Oregon,	10 00
66.	Moses, New York, N. Y.,	5 00
67.	Emes. Springfield, Ill.,	25 00
68.	Rimmon, Richmond, Va.,	25 00
69.	Benjamin, Richmond, Va,,	10 00
70.	Montefiore, Buffalo, N. Y.,	10 00
71.	Maccabee, New York, N. Y.,	5 00
73.	Joseph, St. Louis, Mo.,	25 00
76.	Joseph, Savannah, Ga.,	20 00
77.	Columbus, Columbus. Ga.,	37 50
79.	Henry Jones, New York, N.Y.,	5 00
80.	Zoor Sharnon. Franklin, Pa.,	5 00
81.	Simeon, Titusville. Pa.,	5 00
83.	Cremieux, Philadelphia, Pa,	5 00
84.	Betb Zur, Mobile, Ala.,	25 00
85.	Jeremiah. Troy, N, Y.,	25 00
86.	Osterman, Cincinnati. Ohio,	25 00
87.	Isaac. Milwaukee, Wis.,	25 00
89	Abraham, Bridgeport, Conn.,	10 00
90.	Ezekiel, Newark, N. J.,	25 00
91.	Jacob, Syracuse, N. Y.,	10 00
95.	Judah Touro. New York, N. Y.,	3 00
96.	Independence, New York, N.Y.,	10 00
97.	Ed. Everett, New York. N. Y.,	10 00
98.	Vicksburg, Vicksburg, Miss.,	25 00
99.	Zuleka, Quincy, Ill.,	10 00
102.	Philadelphia, Philadelphia, Pa.,	10 00
103.	Emanuel, Montgomery, Ala.,	15 00
105.	Maurice Mayer, Chicago, Ill.,	25 00
107.	Louisiana. Shreveport. La.,	25 00
108.	Spinoza, Cincinnati, Ohio.	10 00
109.	Isaac Leeser. Philade'phia, Pa.,	5 00
110.	Gan Eden, Terre Haute, Ind.,	10 00
112.	Aaron, Poughkeepsie, N. Y.,	5 00
114.	Ibn Gabirol. Pittsburgh, Pa.,	5 00
115.	Eliezer, Newburgh, N. Y.,	10 00
117.	Grace Aguilar, Wash., D. C.,	20 00
120.	Zephania. Williamsport, Pa.,	10 00
121.	Amos, Boston, Mass.,	10 00
125.	Covenant, Baltimore, Md.,	10 00
126.	Hope, Stockton, Cal,	42 00
127.	Columbia, San Francisco, Cal.,	15 00
130.	Jonathan, Chicago, Ill,	25 00
131.	Zephaniah, Rondout, N. Y.,	10 00
132.	Haggai, Providence, R. I.,	5 00
135.	Hagar, Madison, Ind.,	5 00
136.	Amos, Scranton, Pa.,	10 00
137.	Atlantic, New York, N. Y.,	5 00
138.	Cremieux La Crosse, Wis.,	10 00
139.	Rodef Scholem, Wilkesbarre, Pa,	10 00
140.	Gideon, Albany, N. Y.,	25 00
141.	Milwaukee, Milwaukee, Wis.,	15 00
142.	Jephthah Eufaula, Ala.,	10 00

Digitized by Google

the seat of the District Grand Lodge to be migratory, changeable and uncertain. Moreover there arose no emergency to make a change necessary.

The case as it presents itself is so simple the appellants abstain from further argument and pray your honorable Court to declare said law unconstitutional, and therefore null and void.

M. SAMFIELD,
S. SCHLOSS,
D. GENSBERGER,
} *Com. Euphrates Lodge No.* 35.

S. HIRSCH,
L. GOLDSMITH,
S. SLAEGER,
} *Com. Hiddekel Lodge No.* 100.

S. L. LEE,
H. SEESSEL, SR.,
L. LANGE,
} *Com. Simon Tuska Lodge No.* 192.

ADDITIONAL GROUNDS OF APPEAL OF ESTHER LODGE NO. 159.

Part II., Art. IV., Sec. 1, of the Organic Law of the Order, as revised March 1–6, 1885, reads thus: "The permanent seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges, and its office and archives shall be kept there, but its sessions may be at any place where any of its lodges are located."

The purpose, the object and the intent of this law are clearly and succinctly manifested by the words which compose it. There is no need or occasion to quibble over its interpretation—it conveys one idea, and but one only. If we are to gather anything from words, the impression we would receive from the definition of the word "permanent" is the idea of "permanency," "stability," "unremoved," "lasting," and "retaining." The correct idea of this single word is the keystone to the whole law, and it calls for no astute and erudite jurist to lend any strength to it by his interpretation. The *argumentum ab inconvenienti* would preclude every other inference or construction.

Now, after having ascertained what is the permanent seat of government, it is next proper and logical to ascertain what and who make or determine where it shall be located. This is arranged by the majority of the lodges, who manifest their choice by determining upon some city or place, and not by the election of a Grand Secre-

Digitized by Google

tary. The Grand Secretary must follow the permanent seat of government, as it were, and not the seat of government follow the secretary.

The wise provisions of the Constitution were but to secure a fixed and permanent seat of government of the District Grand Lodge, and to prevent it from being migratory and fleeting, vacillating and unsteady.

Like every organization, there should be a place which is called *the seat.* This is essential to the individualism and identity of the order, and with this circumstance in mind, the framers of the Constitution acted intelligently, and in conformity with what experience has taught all governments.

In accord, then, with this law, the majority of the lodges constituting District No. 7 designated Memphis as the permanent seat of the District Grand Lodge.

By the enactment of the above law at Selma, Ala., there was not a permanent seat created.

The secretary of the District is subject to an election annually, and if we adopt the above law our *permanent seat* will be subject at every election to be transferred to the home where fortune or chance has led the footsteps of the elected secretary; and then what a chaotic confusion our government would be in.

The enactment, we state again as we have heretofore stated, is antagonistic to the Organic Law of the Order, because it compels the seat of the District Grand Lodge to be changeable, unsteady and unsettled.

The argument of necessity for a change cannot be admitted as an extenuation, as no emergency or occasion has arisen to demand it.

The grounds of appeal are so palpably and patently just and equitable, and the violation of the Organic Law so flagrant and so devoid of reason or excuse that we desist in further arguing, and submit by praying your honorable Court to declare, as it is, the said law unconstitutional, and therefore null and void and of no effect.

HENRY FINK,
LEOPOLD MARKS,
H. WEINLAUB,
Committee.

Digitized by Google

ANSWER OF RESPONDENTS.

Believing that the appellants have presented no novel, complex or difficult question for your consideration, the appellee respectfully submits this brief answer to their appeal.

We append the full text of the act complained of, properly authenticated by the Secretary of District Grand Lodge No. 7 :

"The seat of the District Grand Lodge No. 7 shall be in the city of which the Grand Secretary is a resident at the time of his election and during his term of office, and the archives of the Grand Lodge shall be in his charge.

"It was moved and seconded that the law should not go into effect until ratified by a majority of the lodges in the District. Carried."

It will be observed that no change will be made in the present seat of government, unless a majority of lodges shall so determine.

The Constitution of the Order, on page 7, Part II., Article IV., Section 1, provides that "the permanent seat of the District Grand Lodge should be located at the place designated by the majority of its lodges."

The language is clear and its meaning obvious.

The grant of power is unlimited.

The right of selection is without reservation or qualification vested in a majority of the lodges of a District, and their action cannot be questioned.

Unrestricted power to choose includes the right of substitution.

Mere exercise does not exhaust or annihilate the power.

The permanent seat of government is not necessarily a perpetual seat.

If the correctness of the appellants' argument is conceded, the accidental destruction of a city would effectually deprive a District Grand Lodge of its seat of government.

The extension or contraction of a boundary, would influence or control the legislation of our order.

The vital principles of our Organic Law were intended to impart vigor and stimulate growth, and should not be entombed within the unyielding barriers of narrow and unreasonable interpretation.

DISTRICT GRAND LODGE NO. 7.

A. S. MYERS, *Secretary.*

Digitized by Google

OPINIONS.

JOSEPH ABRAHAM, P. J.

The Organic Law of the Order prescribes that the permanent seat of the District Grand Lodge shall be a place designated by the majority of its lodges. The respondent enacted a law that the seat of D. G. L. No. 7 shall be in the city of which the Grand Secretary is a resident at the time of office and during his term of office. The statement of the question is sufficient to show that the enactment is made directly in opposition to the Organic Law. I was inclined to the belief that the provision had escaped the notice of the legislators, but in this I am mistaken because the action of the respondent is defended; they say, "Mere exercise does not exhaust or annihilate the power." "The permanent seat of government is not necessarily a perpetual seat." Both these propositions may be granted as correct, and yet they in no way aid in sustaining the laws, which in itself provides that the seat of the Grand Lodge shall not be perpetual. Now, a law which would say the permanent seat of the Grand Lodge shall hereafter be at Little Rock or Nashville, or any other named place, would, if approved by a majority of the lodges, be proper. That would sustain the propositions of the defense, but a law which provides for a renewal of the seat at every election, it seems to me is so utterly subversive of being permanent in its effect that I can see no plausible argument in its defense. The propriety of the Organic Law is too palpable to need argument and does not require it. The appeals are sustained. The legislation is void.

ADOLPH L. SANGER, DISTRICT NO. 1.

The question at issue in the above appeals involves the construction of Part 2, Article 4, Section 1, of the Organic Law of the Order as revised in March, 1885, which reads as follows: "The permanent seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges, and its office and archives shall be kept there, but its sessions may be at any place where any of its lodges are located."

In May, 1885, the above-named defendant enacted a law providing that the seat of the District Grand Lodge should be in the city of which the Grand Secretary is a resident at the time of his election and during his term of office.

Digitized by Google

The most reasonable construction that can be put upon the organic law above quoted leads to the conviction that a District Grand Lodge cannot change its seat of government from one place to another depending upon the place of residence of its secretary for the time being. Were it otherwise, there could be no certain place which, under the Organic Law, could be considered the permanent seat of the District Grand Lodge. The idea of permanency means stability. Something that is not to be changed, but which is to remain.

When once a District Grand Lodge has established its seat at the place designated by the majority of its lodges, it becomes the permanent seat until it may be thereafter changed by the majority of its lodges. The law does not provide any other method whereby the permanent seat of a District Grand Lodge can be designated, and it is futile for the respondent to maintain that the "permanent seat" can be changed at will by the mere fact of electing a Grand Secretary who may reside from time to time in different portions of a District.

I quite agree with the argument of the appellant that the Grand Secretary must follow the permanent seat of government as determined by the majority of the lodges, and not that the seat of government must follow the secretary. It was the object of the Constitution of the Order to secure a fixed seat of government in each District Grand Lodge, where the archives could be safely kept, which would be a place known to the members of the District when once fixed, where information could be procured and communications addressed by them, and which would not be liable at every election to be transferred to some particular place where the newly elected Grand Secretary might happen to live. Nothing but confusion and disorder could result from upholding such an interpretation of the statute.

The appeals must be sustained.

JACOB SHRODER, DISTRICT NO. 2.

The District Grand Lodge No. 7, at its session of May 10th, 1885, passed the following general law:

"The seat of the District Grand Lodge No. 7 shall be in the city of which the Grand Secretary is a resident at the time of his election and during his term of office, and the archives of the Grand Lodge shall be in his charge.

Digitized by Google

"It was moved and seconded that the law should not go into effect until ratified by a majority of the lodges in the District."

The appellants claim that this law comes in conflict with Part II., Art. IV., Sec. 1, of the Constitution of the Order, which reads as follows:

"The *permanent* seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges, and its office and archives shall be kept there, but its sessions may be held a any place where any of its lodges are located."

This constitutional provision clearly expresses its own purpose and distinctly points out the means of executing that purpose. There can be no reasonable doubt of its declaring that the seat, the offices and the archives of the District Grand Lodge shall be permanently located at the place designated by the majority of the lodges. This language admits of no construction that would put the Grand Lodge on the wing. This idea of permanency is emphasized by placing it in contrast with the opposite idea, expressed in the same section in relation to places where Grand Lodge sessions may be held. If the phraseology of this constitutional clause were obscure the circumstance that Grand Lodges have had these seats, fixed and permanent, would compel the construction contended for by the appellants. There is, however, no necessity of resorting to extraneous aids for the Order to ascertain the meaning of the clear and unmistakable language of this section.

The law complained of is an attempt to transfer the right and duty of designating the locality of the Grand Lodge from the lodges to the Grand Lodge itself. The Organic Law vested in the lodges the power to designate, to name, the permanent seat of the District, and it is beyond the power of the Grand Lodge to assume this right, and beyond the power of the lodges to divest themselves of this duty. The duty was to have a seat of government where the office and archives were to be kept; that seat was to be fixed and permanent in its nature, and the locality was to be named by a majority vote of the lodges. It seems indisputable that the Grand Lodge had no voice in the making the selection. Now, the law appealed against enables the Grand Lodge, by the act of electing its Grand Secretary, to fix the seat of the Grand Lodge. The election would involve that result the same as if the question of locality were directly before it. It would allow that body the exercise

Digitized by Google

indirectly of a power which the organic law, by conferring it on the lodges, has, by necessary implication, refused to the Grand Lodge. The ratification of the lodges is of no avail, since the lodges have no right either to divest themselves of their constitutional duty, or by any act to delegate to the Grand Lodge the power of designation, whether they do so by granting to that body original authority to designate or by ratifying its declared purpose to assume that office.

The effect of this law is to make the seat of the Grand Lodge migratory, and to vest the Grand Lodge with the power of designating it. This conclusion is sufficient to invalidate the law.

It is, therefore, my opinion that the appeal ought to be sustained, and that this Court adjudge said law to be of no force and effect.

M. K. COHEN, DISTRICT NO. 3.

District Grand Lodge No. 7 is governed by the following section of the Organic Law:

"The permanent seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges."

In supposed conformity with this section the defendant in May, 1885, enacted that

"The seat of D. G. L. No. 7 shall be in the city of which the Grand Secretary is a resident at the time of his election and during his term of office."

This law is appealed from as unconstitutional; the most cursory examination of the Organic Law will show that it intends that the *place* where the permanent seat of the D. G. L. shall be located, shall *be designated*, and that such designation of such place shall be made by the *majority of the lodges*.

The law in question violates both of these requirements. Instead of designating a place, it designates a *man*, who shall by his peregrinations determine the place.

And even this man is not designated by the majority of the *lodges*, but only by the usual vote for officers.

The appeals must be sustained.

I. GREENEBAUM, DISTRICT NO. 4.

In these two appeals the same question is involved, and I shall therefore consider them together. It appears that the respondent at its last session adopted the following law:

Digitized by Google

"The seat of the District Grand Lodge No. 7, I. O. B. B., shall be in the city of which the Grand Secretary is a resident at the time of his election, *and during his term of office*, and the archives of the Grand Lodge shall be in his charge." And this is claimed to be in conflict with Section 1 of Article IV. of the Constitution of the Order.

The section reads as follows:

"The permanent seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges, and its office and archives shall be kept there, but the session may be at any place where any of its lodges are located."

It seems to me unnecessary for the purposes of this case to investigate the question whether the intention of the Constitution is to establish one fixed place as the seat of the District Grand Lodge or not.

There is nothing in the section which authorizes a District Grand Lodge *as such* to fix the seat. The place must be "designated by the majority of its lodges," not by the District Grand Lodge.

While the latter may consist of representatives of the majority of its lodges, it by no means follows that a majority of the lodges adopted the section fixing the seat for the district.

Such can, under the Constitution, be done only by a vote of the lodges *as such*, not by its representatives.

In thus disposing of the case, it may not be amiss to call attention to the law as passed. A Court will not declare unconstitutional a solemn act of a legislative body unless the enactment and the constitution cannot be reconciled; all presumptions are in favor of its constitutionality. But in the case before us it seems clear that the intention of the Constitution was to make one permanent, *i. e.*, *fixed* place of the seat of government for the District, not an uncertain, movable office, "at every election of the secretary or at the option of the secretary during his term of office."

Placing my decision on the first grounds, it is unnecessary to discuss the last point further than indicated. The law is unconstitutional and the appeal must be sustained.

S. WOLF, DISTRICT NO. 5.

The appeal submitted as from the three Memphis lodges subscribed to by three committees purporting to act for said lodges, is open to the same objections set forth by me in another opinion of

Digitized by Google

even date hereof, to wit, noncompliance with Part II. of Division 2 of the Code. In the absence of the signatures of the secretaries and presidents of the respective lodges there is no evidence before us whether or not the taking of said appeal is authorized by said lodges. Therefore, if said appeal stood alone, I should hold that we have nothing officially to act on.

The subject matter of said appeal is, however, directly certified to us in due form by Esther Lodge in documents signed by the president and secretary, attested by seal. The issue raised may be met in a few words.

My opinion is, that as the law provides for a permanent seat, said seat cannot be annually changed *ipso facto* by election of a secretary. "That which is only for a time is not permanent" (Crabbe). A perfect analogy is to be found in the Act of Congress of 1790, providing for a permanent seat for the General Government (Section 1795, Revised Statutes). Permanency, is continuing in the same State or place.

The Organic Law of the Order provides that the permanent seat of a District Grand Lodge shall be located at a place designated by the majority of its lodges, and its office and its archives shall be kept there.

It is true that the amendment passed and appealed from was not to go into force until approved by a majority of the lodges. If such amendment had provided a definite place for a permanent seat such reference was proper, but no approval by the subordinate lodges of a law in contravention of the organic ordinances can give such amendment vitality. Again, if a majority of the lodges were to approve of the action this year, then a like submission would have to follow every election of a secretary. The representatives elect the secretary and the new law states that his residence shall be the seat of the Grand Lodge, while to establish the permanent seat of the Grand Lodge a majority of the lodges control. This is conceded and the admission is thus made that an annual conflict may arise between the electors of the secretary and the bodies charged with defining the permanent seat of the Grand Lodge. I am of opinion that the action of District Grand Lodge No. 7 should be reversed as prayed for.

ADOLPH KRAUS, DISTRICT NO. 6.

I am of the opinion that the appeals herein should be sustained.

Digitized by Google

LEO N. LEVI, DISTRICT NO. 7.

In view of the fact that I presided over the Selma Convention when the question involved in this appeal was before that body, and because I ruled on the matter now under review, I respectfully decline to sit in this case.

MORRIS GOODHART, DISTRICT NO. 8.

In these cases the appellants feel aggrieved at a law passed by the respondent which reads as follows:

"The seat of the District Grand Lodge No. 7 shall be in the city of which the Grand Secretary is a resident at the time of his election and during his term of office, and the archives of the Grand Lodge shall be in his charge."

It is claimed that this law is in violation of Parts 2 and 4, Section 1, of the Organic Law of the Order, which provides:

"The permanent seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges, and its office and archives shall be kept there, but its sessions may be at any place where any of its lodges are located."

We agree with the contention of the appellants. Every District Grand Lodge must have a permanent seat and its archives must be located there. This permanent seat cannot be changed except by the designation of a majority of its lodges. "A majority of its lodges" does not mean a majority of the representatives of such lodges, because each lodge does not necessarily have the same number of representatives in the Grand Lodge. The numbers of such representatives depends upon the membership of each lodge. In the designation of a permanent seat each lodge is entitled to one vote. The law in question was not adopted in the manner provided by the Organic Law, and is therefore in violation thereof. The contention of the appellees that this law does not change the seat of the Grand Lodge without the consent of a majority of its lodges is fallacious and untenable, because a certain number of representatives elect a Grand Secretary yearly and he may be each time a resident of a different city, and his election is not by lodges as such, but by representatives whose number varies according to the membership, thus depriving each lodge, as a body, to its equal vote with the others. For these reasons the appeal is sustained.

Digitized by Google

DECISION.

The Organic Law of the Order enacts that the permanent seat of a District Grand Lodge shall be located at the place designated by the majority of its lodges. The respondent passed a law at its last session that the seat of the District Grand Lodge No. 7, I. O. B. B., shall be in the city of which the Grand Secretary is a resident at the time of his election, and during his term of office. Appellants contend that the law thus passed is in conflict with the provision of the Organic Law.

The Court sustains this appeal, and holds that the law passed by respondent is in contravention of the Constitution of the Order, and is null and void.

Abraham, P. J., Sanger, Shroder, Kraus, Cohen, Wolf and Goodhart, JJ., concur. Levi, J., declines to vote, having presided at the meeting when the law was enacted.

JOSEPH ABRAHAM,
President of the Court.

APPEAL LXXVI.

IN THE MATTER OF THE APPEAL OF BROTHER JULIUS FENCHEL *vs.* THE DECISION OF DISTRICT COURT NO. 8.

STATEMENT OF FACTS.

Grand Lodge for Germany, I. O. B. B.

VIII.

BERLIN, November 17th, 1885.

To the Most Worthy Court of Appeals, I. O. B. B.:

Appeal of the President of D. G. L. No. 8, I. O. B. B., against the decision of the Court of Appeals, of District No. 8, in the matter of Ex-Pr. Br. Dr. Rahmer, of Mamreh Lodge No. 344, against the president of the Lodge, Brother Julius Steinitz.

GROUNDS OF APPEAL.

I.—It is claimed that Brother Steinitz declined to have a vote as taken on a question of "guilty" or "not guilty," stated in the minutes.

Digitized by Google

II.—It is claimed that Brother Steinitz declined to entertain an appeal to the lodge against his said decision, on the ground that such appeal should be directed to the Grand Lodge.

Brother Steinitz has answered the appeal officially (Ex. B). He asserts that at the time, the issue between Brother Dr. Rahmer and himself related to a different matter.

The Court of Appeals of this District has ignored the answer of Brother Steinitz entirely. It was their duty to have the issue of fact determined, and to examine minutely how these occurrences transpired.

The District Court ought also to have decided in accordance with the facts and not have said, "The appeal *seems* well taken," as was done in this decision. If we desire to have our decisions respected, it is necessary that they be given according to facts and evidence, and not on mere appearance.

The decision says further:

"That in questions of the highest principle the lodge is called upon to decide in the first place."

This view also seems erroneous. The parliamentary rules of Mamreh Lodge, § 16 (Ex. C.), prescribe: "Appeals against any decision of the president must be directed to the Grand Lodge on questions of law and in local affairs to the lodge itself." In this connection I beg to remark that the by-laws of Mamreh Lodge were sanctioned by this jurisdiction and confirmed by the most worthy Executive Committee.

To the opinion expressed by the District Court (Ex. D), page ii., line 4, "That such a request can likewise be made directly after the occurrence," should have been added these words at least: "And it shall be so recorded, provided the president or the lodge deem it proper."

According to this interpretation, we would be obliged upon request to record the speeches of every brother.

The first part of the appeal was not at all considered by the District Court, much as a decision thereon would have been in its place.

On every vote on the question of "guilty" or "not guilty," and the fixing of the degree of punishment, the number of votes for and against *must* be recorded in the minutes.

For the reasons stated above, and in the interest of our young jurisdiction and the just administration of the laws, I respectfully

Digitized by Google

pray that the decision of the District Court be set aside and that proper instructions be imparted.

Respectfully, in B. B. L. and H., yours,

JULIUS FENCHEL, *President.*

The above is a true copy of the original document on file with D. G. L. No. 8. Certified.

D. WOLFF, *Secretary.*

EXHIBIT A.

ANSWER OF RESPONDENT.

At a regular meeting of Mamreh Lodge No. 344, held August 20th, ult., the undersigned requested the brother president to have embodied in the minutes the result of a vote just had, viz., that of 43 members of Mamreh Lodge present, 34 voted "guilty" and 9 "not guilty." This the brother president declined to do.

Upon appeal of the undersigned to the lodge, the president refused to entertain the same, on the ground that his decision as to whether any occurrence in the lodge should be embodied in the minutes, involved an interpretation of law, against which only an appeal to the worthy Grand Lodge is permissible.

In order to protect the right of every member to have all proceedings of the lodge fully appear on the minutes, and that in this they may not be made to depend upon the discretion of the president, but upon the vote of the lodge, the undersigned is constrained to appeal against the above interpretation of law by the president to the Worthy Grand Lodge.

Beuthen, A. S., September 2d, 1885.

DR. ARNO RAHMER,

Monitor of Mamreh Lodge.

EXHIBIT B.

BEUTHEN, A. S., September 4th, 1885.

To the Worthy Grand Lodge for Germany, No. 8, Berlin:

The appeal of Ex-P. Brother Dr. Arno Rahmer, which we this day submitted, I regard as entirely groundless.

In the first place, the state of facts upon which the same is based is incorrectly given; and secondly, it is directed against decisions which were never made by me in the manner stated.

Digitized by Google

The brother appellant claims to have made the request, and that I refused the same, to have the result of a vote taken at that time exactly stated in the minutes. This assertion is inaccurate, to say the least.

The request of Brother Dr. Rahmer related to an entirely different occurrence, and which I did not consider of sufficient importance, inasmuch as it had no connection with the ballot taken at that time.

This gave rise to a controversy between Brother Dr. Rahmer and myself, in the course of which he claimed for himself, as well as for every brother, the right to demand that any occurrence be noted in the minutes. To this claim I took exception, as to this or any other case. He appealed, and I referred him to the Worthy Grand Lodge, according to Section 11 of our By-Laws, as I did not regard the question of local but of general import, and one involving a principle.

The reason for my decision is simply that, in my opinion, the composition of true and correct minutes is the business of the recording secretary, but that every brother naturally has the right to protest against any inaccuracies or omissions and to demand their correction. But certainly no single brother should have the right to demand from the president that any occurrence which he deems of sufficient importance should be recorded in the minutes, and surely the president is not obliged to readily accede to such demand of a single person, against his better judgment. Of course, if the request is made in due form of a motion properly seconded and a vote of the lodge taken thereon, then it is self-evident that the president must acquiesce, and if the Worthy Ex-Pr. Brother Dr. Rahmer, my esteemed teacher and predecessor, works himself into a state of irritation, so much so that he insinuates that I made a decision contrary to the vote of my lodge, or worse, that I decided that it should rest with the discretion of the president and not the vote of the lodge whether certain occurrences in a meeting should be noted in the minutes, I can only characterize his appeal "as a battle against windmills," for such a decision was never contemplated by me.

I therefore respectfully ask the worthy Grand Lodge to dismiss the appeal of Brother Dr. Rahmer, as not well founded.

In B. B., L. and H.,
JULIUS STEINITZ,
Pr. of Mamreh Lodge.

Digitized by Google

EXHIBIT C.

EXTRACT FROM THE PARLIAMENTARY RULES OF MAMREH LODGE No. 344.

SEC. 16. A member has the right to appeal against any decision of the president in questions of law to the Grand Lodge, in local matters to the lodge; in the latter case the vice-president puts the question on the appeal and no member shall be allowed to speak thereon except the appellant and the president.

EXHIBIT D.

DECISION APPEALED FROM.

COURT OF APPEALS OF DISTRICT GRAND LODGE NO. 8, I. O. B. B.

In the appeal of Brother Dr. Arno Rahmer of September 2d ult. against the decision of the president of Mamreh Lodge No. 344 in Beuthen, of August 20th, the Court of Appeals at its session of October 15th has decided as follows:

"The appeal is against the decision of the president of Mamreh Lodge, in that he, after denying the request of the appellant that a certain occurrence be noted in the minutes, rejected the appeal to the lodge, as inadmissible.

"The appeal seems to be well taken; the reason assigned by the president for his action, that the question at issue was not of local but general importance and involving a principle, does not hold good, inasmuch as in questions of the highest principle even, the lodge is to be called upon to decide in the first place.

"The importance of the question in the concrete cannot be considered in this connection, and the appeal to Mamreh Lodge must be accepted."

In so far as the appeal is directed against the decision denying the request that an occurrence be noted in the minutes directly after such occurence, the Court of Appeals is of opinion that such a request "can certainly be made directly after the occurrence."

The brethren cannot be deprived of the privilege of making motions touching the minutes before they are drafted.

Read, approved and signed:

THE COURT OF APPEALS.

Sig.: SACHS, Dr. HAUB, SINGER, M. COHEN, HAAGEN.

The foregoing is a correct copy.

Berlin, October 18th, 1885.

Sig.: SACHS, *President.* E. SINGER, *Secretary.*

Digitized by Google

OFFICE OF THE EXECUTIVE COMMITTEE, I. O. B. B.

I herewith certify that the foregoing document is a true copy correctly translated from the original, in the matter of Brother Jul. Fenchel against the decision of the Court of Appeals of District No. 8, having reference to an appeal of Brother Dr. Arno Rahmer of Mamreh Lodge No. 344 against the decision of the president of said lodge, and furthermore that this is one of eight copies, all of the same tenor and purport.

New York, January 10th, 1886.

M. THALMESSINGER,

[SEAL.] *Sec'y. Ex. Com.*

JOSEPH ABRAHAM, P. J.

Coinciding, as I do, with the opinions pronounced by a majority of the Court, I deem it sufficient to record my vote in favor of a dismissal of the appeal, upon the grounds which are stated in the syllabus.

JACOB SHRODER, DISTRICT NO. 2.

This cause arose from the refusal of the president of Mamreh Lodge No. 344 to direct upon the minutes, which were not then made up, the entry of certain alleged proceedings of the pending session of the lodge. In the District Court the appellant below alleged the facts constituting the cause of his appeal, and the president pleaded a denial of them. In such case the burden of proof was upon the appellant, and, upon his failure to produce evidence, he necessarily failed in the cause for want of proof.

Assuming, however, his statement in the District Court as undenied, his contention cannot be sustained. If it was the president's duty to give the requested directions, he had, despite his refusal, all the interval until the minutes were read and submitted to the lodge for the performance of that duty—a *locus penitentiæ*. Until the completed minutes disclosed his dereliction there accrued no cause of complaint. But to make these directions formed no part of his duty. It belonged to the office of the secretary to keep and make up the minutes, subject only to the control of the lodge, and not to the control of the president or any member.

See Cushing's Law and Practice of Legislative Bodies, § 418.

Until the contrary is shown, the law will presume that the whole proceedings of the lodge were recorded by the secretary.

Digitized by Google

The appellee, however, contends that, the lodge being no party to the controversy, the District Court had no jurisdiction of the cause. The jurisdiction of the Court is founded upon this provision of Article IV., Section 5 of the Organic Laws: "It shall be the duty of the District Court to adjudicate on all appeals which may arise in lodges of the district. * * *" An appeal in our Order is the removal of the cause to a superior tribunal for review of the decision of one of the subordinate tribunals mentioned in our laws. Within its own jurisdiction the lodge itself is the tribunal whose decision, invoked by any procedure known to parliamentary laws, finally decides all questions. This Court has already held that appeals "which may arise in lodges" are only from the action or decision of the lodge. Consequently, the District Court possessed no authority to adjudicate this appeal, and its judgment must be reversed.

In McMahon *vs.* Rauhr, 47 N. Y. Court of Appeals, 67, it was held: "Where the inferior Court has acted without having jurisdiction, and has rendered judgment, the Appellate Court, which has power to review its decisions, may so far act upon the judgment as to reverse it for that want of jurisdiction."

In United States *vs.* Huckable, 16, Wallace, 414, the Supreme Court of the United States held: "Usually, where a Court has no jurisdiction of a case, the correct practice is to dismiss the suit; but a different rule necessarily prevails in an Appellate Court, in cases where the subordinate Court was without jurisdiction and has given judgment or decree for the plaintiff or improperly decreed affirmative relief to a claimant. In such a case the judgment or decree in the Court below must be reversed; else the party which prevailed there would have the benefit of such judgment or decree, though rendered by a Court which had no authority to hear and determine the matter in controversy."

See Mail Co. *vs.* Flanders, 12 Wall, U. S. S. C., 130.

In my opinion, the judgment of this Court ought to be that the judgment of the District Court should be reversed, for want of jurisdiction in said Court to hear and determine the cause.

M. K. COHEN, DISTRICT NO. 3.

By Section 4, Art. III., Part III. of the Constitution, it is provided, that only parties to the original appeal and the District Grand Lodge can appeal from the decision of a District Court.

Digitized by Google

The appellant here, Brother Fenchel, is not a party to the original appeal, nor is he the District Grand Lodge. The fact that he is the president of that body, does not authorize him to act for it in this matter, without express authority; and as no such authority is set forth in the papers, we must presume that none such exists, and the appeal must be dismissed, because the appellant has no status here.

Lest the appellant should fear that his appeal had failed on a mere error of form, I desire to add that in my opinion the District Court was right in holding that on a vote, whether a brother was guilty or not guilty of an offense charged, any brother may ask that the number of votes cast on each side may be recorded, and if the president refuses the request the lodge may be appealed to.

This is all that the decision appealed from really holds. The answer of Brother Steinitz was not responsive. It did not deny that Brother Dr. Rahmer asked that a vote on a question of "guilty" or "not guilty" should be recorded, nor did it deny that the request was refused, nor that Brother Dr. Rahmer desired to appeal to the lodge, nor that such right of appeal to the lodge was denied him.

These facts being charged and not traversed the learned District Court was entirely justified in assuming them to be true.

I vote to dismiss the appeal.

I. GREENEBAUM, DISTRICT NO. 4.

This appeal is from the judgment of the District Court of the Eighth District.

On a case brought before it, wherein Brother Dr. Rahmer appealed to it, against the action of the president of the Mamreh Lodge No. 344.

It has been uniformly held that no appeal can be taken to the Courts from the action of a president of a lodge. And this case forms no exception. I cannot determine whether the appellant or respondent were right; but adhering to the rule, I must hold that the District Court could not sustain the appeal because it was not taken from the action of the lodge.

If a brother is aggrieved by the action of the president, he must appeal to the lodge; and if the action of the lodge sustains its president, then, and not till then, can an appeal be perfected to the Courts.

Digitized by Google

I cannot, therefore, investigate the merits of the appeal, but must dismiss the proceedings, without prejudice to the appellant to proceed further in the matter, on a proper appeal from the action of the Lodge if it be so advised.

Simon Wolf, of District No. 5, records his vote in favor of dismissing this appeal, upon the grounds of want of jurisdiction.

ADOLPH KRAUS, DISTRICT NO. 6.

In this case the facts upon which the appeal to the District Court was predicated were disputed; the facts were affirmed by one and denied by the other side; and there being no other proof, the District Court ought to have dismissed the appeal for lack of evidence upon which to pass judgment. If the facts are as stated by appellant below, then there would be no error in the District Court upon the question of law involved. There can be no question that a brother of the lodge may, as soon as any action is taken by the lodge, request that the proceedings be entered upon the minutes, and it is for the lodge to decide whether or not such request shall be complied with, and in what manner such entries in the minutes ought to be made; provided, however, that such entries shall be in accord with the actual proceedings of the meeting. The District Court has limited its decision to the right of a brother to obtain this result by motion submitted to the vote of the lodge, and we fully concur in its decision.

The second point made in this appeal is the refusal of the president to lay before the lodge an appeal from a brother from the decision of the president, refusing to order certain proceedings of the lodge to be recorded in its minutes. The president claimed that such appeal should be taken to the Grand Lodge. The District Court held that the appeal to the lodge should have been entertained by the president. I concur in that decision. Therefore, it is my opinion that the District Court construed the law correctly, but owing to the reason above given, that there were not sufficient facts before the Court to act upon, the appeal ought to have been dismissed, and this Court, for the same reason, ought to dismiss the appeal.

LEO N. LEVI, DISTRICT NO. 7.

This appeal must be dismissed. It fails in almost every respect to conform to the requirements of an appeal under the laws of our

Digitized by Google

order. It does not appear whether, in prosecuting the appeal, the appellant is representing his District or himself, and if the former, by what authority? Sec. 4, Art. III., clearly indicates who may prosecute appeals to this Court, and the appellant fails to bring himself within its provisions. The policy of our law is to discourage appeals, and hence the section named must be construed strictly as limiting the right of appeal to those therein described.

Moreover, the transcript fails to comply with the regulations of our code of practice and procedure, adopted some time before the date of this appeal. I deem it but just to appellant, however, to remark that for some reason, not known to me, the code has not been promulgated in Germany. Recognizing as I do the principle that ignorance of the law should not be received as an excuse for error or wrong, yet in our order I am not in favor of a technical enforcement of this rule where it will work manifest injustice. That would be to imitate the Roman tyrant, who inflicted penalties for breaches of laws that were promulgated, so that they could not be read.

It is presumed that all the parties to this controversy are actuated by a desire to know the right of it, and that the result of the appeal in the formal judgment of this Court will not be held of great moment in any other aspect. To the end, therefore, that our brethren in Germany may know the law respecting the original contention, I think we should, in addition to dismissing the appeal, expound the law.

I.—In the absence of any law of District No. 8, relating to the minutes of a lodge, we have no positive enactment before us by which we may determine how the minutes of a lodge should be kept. Our Organic Law contains no provision on this subject. There seems to be no reason why the Grand Lodge should undertake to control such a matter. The subordinate lodges are entrusted with its charter on the presumption that the honor of the order is in safe hands. All deliberative and parliamentary bodies, in this enlightened age, are expected to keep a history of their proceedings, and they must be the judges of the correctness or completeness of such history. If a lodge should insist upon spreading upon its minutes improper matter, such misconduct could be corrected by appeal, but I seriously doubt if any tribunal can determine what must appear in the record. At all events as to what should or should not appear, the lodge must determine in the first instance before any appeal can be taken.

Digitized by Google

II.—When the president of a subordinate lodge makes a ruling that is unsatisfactory an appeal lies from his decision to the lodge, and should be entertained by him. If he be dissatisfied with the decision of the lodge he can appeal.

III.—The request of Brother Dr. Rahmer to have an event noted upon the minutes did not *ipso facto* entitle him to have the minutes so constructed. Even events affecting the personal character of a brother may be excluded, over his objection, if the lodge deems it best not to record them. Ordinarily a member has the right to have his own particular vote recorded, but in the absence of any positive law he could only have this done by consent of the lodge.

IV.—The proper course in the premises was for Brother Dr. Rahmer to have made a motion to have the vote recorded. This motion, if seconded, should have been submitted to the lodge and its decision would have been final.

V.—His failure to make the motion entitled the president, Brother Steinitz, to decline his mere request, but the president had no option as to submitting an appeal from his decision, however correct, to the lodge. As before stated, if he was not sustained, he had the right of appeal.

VI.—It is not essential that Courts should always use positive language. The expression "it seems" is not obnoxious to the criticism offered against it. Judges do not make, they only expound, the law, and if they be in doubt as to its meaning or application to a particular state of facts, they may and should indicate the doubt so as not to be fettered by a decision of doubtful correctness at the time, and the error of which may be thereafter discovered.

VII.—Section 16 of the rules of Mamreh Lodge is of doubtful meaning and certainly of but little force. The right of appeal is too sacred to be limited by the law of a subordinate lodge, and if the circumstances arise, which entitle a member to appeal under the laws of District No. 8, or of the Order, certainly the right of appeal will not be deemed abridged by the parliamentary rules of a subordinate jurisdiction. The intention of the section must be held to be that, in matters of general interest to the district, the district is sovereign; whereas in matters of local concern the lodge is sovereign. If, for example, the president or lodge should hold that Mamreh Lodge should not contribute to the support of the Constitution Grand Lodge, the action would be of general importance and

Digitized by Google

involve the construction of a general law. Such a decision would therefore be only binding is so far as it is correct. But if the president or lodge should decline to assist the poor of Berlin or conclude to contribute to the *Alliance Israelite Universelle*, no jurisdiction could revise such action, for it would simply and exclusively affect the lodge and not the Order. For the reasons already assigned the appeal will be dismissed without reference to the merits.

MORRIS GOODHART, DISTRICT NO 8.

For the purpose of entertaining jurisdiction of this appeal we must assume that the appeal is from the District Court of District No. VIII., and judging from the papers submitted to me, I must presume that such is the case.

It is shown by the record that the District Court sustained the brother who was the appellant upon that appeal and who is now the respondent here. The facts in the case have been submitted to said District Court for its determination, and the testimony shows that the proofs were conflicting, neither party having a preponderance of testimony. The question at issue depends purely upon a question of parliamentary usage in the lodge. A member has the right to call the attention of the president to an alleged error in the minutes, provided that it is done before their adoption, and should there be any dispute between them as to the propriety of making such correction upon the minutes the proper method to obtain such correction is by motion, which should be submitted to the lodge. If no such motion be made, the president's refusal to alter the minutes is discretionary and final. No appeal will lie from the exercise of that discretion. In case the president refuse to entertain the motion for the correction of the minutes, an appeal would then lie to the lodge upon the question as to whether or not the president's ruling should be sustained, and from the determination of the lodge upon such an appeal, a proper and concrete case for the adjudication of the appellate tribunal can be made.

In the case before us, both litigants being brethren of the strictest integrity and of the highest standing as to reputation, position and character, the absence of a preponderance of testimony before the District Court should have resulted in that tribunal refusing to render any judgment affecting the merits of the controversy, and, in view of this state of facts, the appeal should be remitted to the

Digitized by Google

District Court with instructions to render a judgment dismissing the case.

DECISION.

1. This appeal was presented to the District Court upon an alleged statement of fact, which was affirmed by the appellant and denied by appellee. There being no other evidence in the case, it was the duty of the District Court to have dismissed the cause for want of proof.

2. The appeal was prosecuted against the alleged decision of the president, which only then presented his individual opinion. An appeal does not lie to the Court in such case, but should have been made to the lodge, and only against the decision of the lodge could the appeal have been taken to the District Court; for this reason the District Court had no jurisdiction, and should have dismissed the cause therefor and made no judgment on the merits.

3. The appeal to this Court is made by Brother Julius Fenchel, who was not a party to the cause when before the District Court, and who, therefore, under the provisions of the Constitution of the Order, Sec. 4, Art. III., Part III., was not empowered to take the appeal, the same being limited to the original parties, or to the District Grand Lodge; for this reason the Court has no jurisdiction to render any judgment in the controversy upon its merits.

4. When an appeal is presented to the Court the adverse parties must have due notice thereof, in accordance with the Code of Procedure, so that the opportunity may be accorded to them to defend the claim made against them.

5. This Court is necessarily compelled to dismiss this appeal for want of jurisdiction and can pass no judgment, but expresses its opinion that the District Court of Appeals should have dismissed the cause on the same grounds.

Members of the Court voting: Shroder, Cohen, Greenebaum, Kraus, Wolf, Levy, Goodhart, JJ., and Abraham, Presiding Judge, all concur in the judgment dismissing the cause.

JOSEPH ABRAHAM,
President of the Court.

Digitized by Google

APPEAL LXXVII.

Appeal of the President of Grand Lodge for Germany, VIII., Brother Julius Fenchel, Berlin, against the decision of the District Court VIII. in the matter of the Relief Committee of Deutsche Reichsloge against their own lodge.

STATEMENT OF FACTS.

As appears by Exhibit A, the Relief Committee of Deutsche Reichsloge appealed against their own lodge, on the ground that the lodge resolved to refer a petition for material relief, coming from an institution not connected with the Order, to a special committee for investigation, and report thereon to the lodge.

GROUNDS OF APPEAL.

The appeal, covering four quarto folios, the original of which is hereunto annexed, not only bolsters up a trifling matter beyond all propriety, but also indulges in personalities against the highest officers of the lodge, at the same time making incorrect assertions.

Personally the appeal is intended against the president, Brother Dr. Maretzki, and the worthy Monitor, Brother Dr. Ewer. The statement that the By-Laws of Deutsche Reichsloge were approved by the Grand Lodge, and that the members of the lodge had sworn to uphold the same, is incorrect. It is erroneous to claim that the members of the Relief Committee are to be looked upon as elected officers. The appellation in the appeals of "Relief Committees of the first and second class" must be characterized as highly improper. Our position here requires circumspection and consideration, and I, therefore, regard it as among the paramount duties of the Court of Appeals not only to render a simple judgment, but also to instruct the members, so that bolstered appeals like the present might be examined into and based on their real merits.

As to the case itself, I would respectfully remark that the Court of Appeals (Exhibit B), Section II., cites Section 26 of the By-Laws incorrectly, and draws an illogical conclusion therefrom.

The By-Laws do *not* state:

"That the Relief Committee is to examine all cases of relief which come before the lodge."

But, as appears by Exhibit C:

"The Relief Committee is to examine all cases of relief of the lodge."

Digitized by Google

Cases of relief concerning brethren of the lodge or members of the Order should be referred to the regular Relief Committee, but that committee is not deprived of its functions if, as in the present case, a petition for material assistance, presented by an institution outside of the Order and from a distant province, is referrred to a special committee, which may be more fully conversant with the details of the matter in question.

The form chosen by the Court of Appeals in its decision, Sections 4 and 5, is not only binding on Deutsche Reichsloge, but all lodges of the District. I regard the same as an act of violence against the sister lodges, and therefore ask, in the well-considered interest of the District, that the decision of the Court of Appeals be set aside.

Respectfully,

In B. B. and C.,

JULIUS FENCHEL,

President of G. L. for Germany No. 8.

EXHIBIT A.

BERLIN, October 9th, 1885.

ANSWER OF RESPONDENT.

To the Most Worthy General Committee of the Grand Lodge for Germany VIII., I. O. B. B., by its President, Most Worthy Brother Julius Fenchel.

Appeal of the Relief Committee of Deutsche Reichsloge against the action taken by the lodge at its meeting of Sept. 19th.

At a meeting of Deutsche Reichsloge, held Sept. 19th under the head of "Good and Welfare," the worthy monitor, Brother Dr. Ewer, asked to be recognized in order to present to the lodge a petition for assistance, coming from a provincial teachers' seminary. The application was addressed to Brother Ewer in the belief that he was still president of the lodge.

Although said application was not laid before the lodge in the manner prescribed, we will pass this silently and simply dwell on the treatment which it received.

After Brother Dr. Ewer had read the application in question, he immediately moved that it be referred for investigation to a committee especially appointed for the purpose and not to the regular

Digitized by Google

Relief Committee. This motion was seconded by Brother Frankel, who remarked that the matter was too far-reaching in its nature to be entrusted to the regular Relief Committee.

The worthy president, Brother Maretzki, entertained the motion and put it to a vote; it was carried by a majority of four, whereupon the president appointed three brethren to investigate this matter. The undersigned do not only consider this proceeding unjust, but also unlawful, and for the following reasons:

1. The regular Relief Committee *is elected by the lodge* and has performed its functions ever since Deutsche Reichsloge has been in existence, and, according to Section 26 of our By-Laws, is the only competent authority for investigating matters of relief. Therefore, a second committee, having like functions, cannot act in special cases and surely not *by way of appointment.*

Exceptional cases do not exist.

2. Should cases come before the committee in which they do not feel themselves capable of acting, it (the committee) is empowered to call in such assistance as the case may demand.

3. But should the lodge cease to place further confidence in the ability of the committee thus elected by itself, such committee must first be relieved of its duties and a new one *elected* and not *appointed* in its stead, for the Constitution does not recognize relief committees of the first and second class, and the undersigned could not be induced to subordinate themselves to the former. In justification of the treatment meted out to us, the leading members of our lodge rely on Section 26 of the By-Laws, assigning to it an entirely different meaning from that intended and which it really has.

Section 26 speaks so clearly and distinctly of the functions of the Relief Committee that a misinterpretation is absolutely impossible, and could be reached only by artificial reasoning.

This paragraph says, with great distinctness, *that all* cases of relief coming before the lodge shall be referred to the Relief Committee for investigation, and the concluding part of the sentence says, that the applications of brethren and the names of those receiving assistance shall not be divulged to the lodge under any circumstances.

The legislators did not intend, nor could they impart, a different meaning to this Section 26, and that its language is clear is evidenced by the sanction of this law by the Grand Lodge.

The worthy president of Deutsche Reichsloge, who appears to have been somewhat befogged in the premises, has seen fit to take counsel of the president of the Grand Lodge, and although the text

Digitized by Google

of his inquiry is not before us, we may infer its contents from the answer given by the president of the District.

A duly attested copy of this answer is in our possession, and it distinctly says, in conformity with our conception of Section 26, that according to the usages of the Order all cases of relief must be referred to the Relief Committee for investigation. We only object to the answer in that the printed law which every brother promised to abide by is negatived and the duties of the Relief Committee reduced to the mere usages of the Order.

It seems that the president of the Grand Lodge would not deem it unlawful if the lodge, passing over the chosen committee, were to appoint special committees in particular cases.

Both parts of the answer are decidedly extreme, and calculated to increase the doubts concerning the meaning of Section 26.

Before appointing a first class committee, it should be ascertained wherein the petition for relief is to be considered as something unusual or extraordinary.

In our opinion there is nothing in this petition calling for the appointment of a scientific commission. By this interpretation and application of Section 26 of the By-Laws on the part of Deutsche Reichsloge, we, the undersigned, consider ourselves injured in the confidence heretofore placed in us and in our capacity as elected officers, and therefore petition the most worthy General Committee to refer this matter to the Court of Appeals of the Grand Lodge for Germany for their kind decision.

The objection that our appeal was not made in due time falls to the ground when the fact is considered that the usual formalities have not been observed in this entire matter by Deutsche Reichsloge No. 332, and that we have thus been deprived of the opportunity of presenting this appeal in due time.

However, notice thereof was immediately given to the lodge at its meeting of September 19th, and the worthy president, Brother Maretzki, assured us that we should not in any manner suffer in our rights by the delay.

In B. B. H.,

Respectfully, the Members of the Relief Committee,

Sig.: WILH. ARNHEIM, *Chairman.*
" S. JACOBI,
" CASPER LICHTENSTEIN,
" J. BAER.

Digitized by Google

EXHIBIT B.

DECISION APPEALED FROM.

COURT OF APPEALS OF DISTRICT GRAND LODGE FOR GERMANY
No. 8, I. O. B. B.

In the appeal of the Relief Committee of Deutsche Reichsloge No. 332, bearing date Oct. 9th, against the action of the said lodge of Sept. 19th, the Court of Appeals in its session Oct. 15th has rendered the following decision:

"According to Section 26 of the By-Laws of Deutsche Reichsloge it is the duty of the Relief Committee to investigate *all* matters of relief which come before the lodge.

"From this wording it appears beyond all question that no case of relief can be withheld from the Committee. The law has provided certain committees in this as in other cases, and the latter can demand that all matters coming within the scope of their duties shall also be referred to them and that they shall not be deprived of their functions by a commission chosen *ad hoc* in isolated cases.

"Therefore, as far as the sphere of action of the Relief Committee (as well as that of other committees) extends, the law allows no special committees to be elected (and surely not appointed) no matter how desirable such a step might appear in isolated cases."

Read, approved and signed.

THE COURT OF APPEALS.

SACHS, Dr. HUUB, SINGER, ALEX. COHEN, HAAGEN.

The above is a true copy.

Berlin, Oct. 18th, 1885.

SACHS. SINGER.

EXHIBIT C.

EXTRACT FROM THE BY-LAWS OF DEUTSCHE REICHSLOGE
No. 332.

Section 26.

The Relief Committee consists of five members and shall be elected at every last regular meeting of the term. This Committee is to examine all matters of relief of the lodge and to report thereon at the next meeting. In cases of urgent need the Committee may,

Digitized by Google

after conferring with the president and treasurer, extend relief before making report. It shall keep correct record of its transactions, which are open to the inspection of the president only. The names of the brethren receiving relief shall under all circumstances remain the secret of the Committee and the president. All papers, &c., in the possession of the Committee shall at the end of the term be delivered to the president, properly sealed and placed in the archives.

GRAND LODGE FOR GERMANY, I. O. B. B., VIII.

BERLIN, Decbr. 14th, 1886.

To the M. W. Member of the Court of Appeals of the I. O. B. B. Ex.-Pr. Brother Morris Goodhart, representing District No. 8, New York.

DEAR SIR AND BROTHER: I refer to my respects of the 14th inst. and now have the honor to hand you enclosed a second appeal of our president, Br. Jul. Fenchel, against a decision of our District Court, rendered in an appeal of the Relief Committee of Deutsche Reichsloge.

An explanation on my part seems unnecessary, as the document itself dwells upon and argues all the points which the appellant in the interest of District No. 8 deems of importance.

With brotherly greetings, I remain in

B. B. & L.,
Respectfully,
D. WOLFF,
Sec'y. D. G. L. for Germany No. 8.

OFFICE OF THE EXECUTIVE COMMITTEE, I. O. B. B.

I herewith certify that the foregoing document is a true copy correctly translated from the original in the matter of Brother Julius Fenchel against the decision of the Court of Appeals of District VIII., having reference to an appeal of the Relief Committee of Deutsche Reichsloge No. 332, against the action of their own lodge, and furthermore that this is one of ten copies all of the same tenor and purport.

New York, Jan. 26th, 1886.

M. THALMESSINGER,
Sec'y. Ex. Com.

[SEAL.]

Digitized by Google

JOSEPH ABRAHAM, P. J.

I join in the opinion that the Court has no jurisdiction in this appeal, and therefore vote to dismiss the same.

J. SHRODER, DISTRICT NO. 2.

The cause in the District Court, from whose decision this appeal comes, was between the said members of the Relief Committee as appellants, and the Reichsloge I., No. 332, as appellee. Part III., Art. III., Sec. 4 of the Organic Laws prescribes that "Appeals to the Court of Appeals of the order from a decision of the District Court may be taken by either party or by the District Grand Lodge." Inasmuch as neither party nor the District Grand Lodge, but only an officer of the Grand Lodge, takes this appeal, this Court is by said Section 4 clearly precluded from entertaining jurisdiction of the matter.

For this reason must the appeal, in my opinion, be dismissed.

M. K. COHEN, DISTRICT NO. 3.

Deutsche Reichsloge received an application for assistance from a teachers' seminary. So far as appears, the assistance asked for was for a public educational purpose and not the technical relief of a sick or distressed brother or other individual contemplated by Section 26 of the lodge's By-Laws.

The matter was referred to a special committee, and from this reference the Relief Committee appealed to the District Court, which held that the reference to a special committee was irregular.

From this decision Brother Fenchel appeals.

By the provision of Section 4, Art. III., Part III., of the Constitution, only parties to the original appeal and the District Grand Lodge can appeal from the decision of a District Court.

It follows that whatever we may think of the propriety of a District Court interfering with a mere reference to a committee, which perhaps may never report, or whose report when made may be unanimously adopted by a lodge, the appellant here has no status. He is not a party to the original appeal, nor is he the District Grand Lodge.

I vote to dismiss the appeal.

I. GREENEBAUM, DISTRICT NO. 4.

This appeal is taken by Brother Julius Fenchel against the decision of the District Court No. 8 in the above-entitled cause. As the

Digitized by Google

record presents the case a communication was received by the respondent lodge seeking relief for a teachers' seminary. The matter was referred by resolution of the lodge to a special committee appointed by the chair against the objection of several members of the lodge, who, relying on Paragraph 26 of the By-Laws of the respondent lodge, claim that a special committee could not be appointed for that purpose. This Section 26 provides for a permanent committee of five members to be elected at specified times whose duty it shall be "to examine all matters of relief of the lodge and report thereon." It is claimed that there being a general committee established by the law, *no* case of relief can be referred to a special committee.

At the outset I am met by the difficulty that this appeal is taken by a brother not a party to the original cause. Section 4 of Article 3, Part 3, Constitution of the Grand Lodge, provides that an appeal to the Court of Appeals of the Order from a decision of the District Court may be taken by either party or by the District Grand Lodge. The appellant in this case was not a party to the cause from which this appeal is taken, and for that reason alone this appeal must be dismissed.

In thus disposing of the case it will be proper to observe that the judgment of the District Court is erroneous. I do not think the By-Law cited is intended to limit the lodge in its mode of appointing committees to investigate as to questions of relief in any one case. But, on the contrary, the legislative body reserved to itself the right to exclude any particular case from out of the General Law. Undoubtedly, in the absence of a motion to specially commit, the reference would *per se* fall to this general committee.

Besides which the cases of relief provided for by the By-Law were relief within the lodge and not without. The whole context of the section shows on its face that it is intended to reach cases where relief is demanded by brothers of the lodge or perhaps of the Order. It is not intended to reach cases where application is made for aid to a public institution as in the present case.

For the reason above first specified the appeal must be dismissed.

SIMON WOLF, DISTRICT NO. 5.

I decide to dismiss this appeal, upon the grounds of want of jurisdiction.

Digitized by Google

ADOLPH KRAUS, DISTRICT NO. 6.

This was an appeal from the action of Deutsche Reichsloge No. 332 against the decision construing the By-Law hereinafter cited.

The District Court of District Grand Lodge No. 8 sustained the appeal. From this decision an appeal is prayed to this Court. The appeal recites that the president of the District Grand Lodge appeals. If such is the case, then this Court has no jurisdiction, because by Section 4, Article 3, Part 3 of Constitution, it is provided that appeals to the Court of Appeals of the Order from the decision of a District Court may be taken by either party, or by District Grand Lodge. The president of the Grand Lodge was not a party to the original appeal, and surely is not the Grand Lodge. But the word "president" may be regarded as mere surplusage, and the document may be considered as emanating from the District Grand Lodge, signed by its presiding officer. The appeal papers are accompanied by a letter of the secretary of the District Grand Lodge, in which he designates the appeal as being taken in the interest of District No. 8, and as appellee does not raise the question, it is probable that it is the appeal of the District Grand Lodge signed by the president, and only informally drawn. I pass now to the merits of the case:

The construction placed upon Paragraph 26 of the By-Laws of Deutsche Reichsloge No. 332, by the District Court, seems to be too narrow and not in harmony with the spirit of the law. By this section it is made the duty of the Relief Committee "to examine all matters of relief of the lodge; its records shall be open to the inspection of the president only; the names of the brethren receiving assistance shall remain secret, etc." From these provisions it must be inferred that the matters intended to be referred to the Relief Committee are such matters as affect the members of the lodge or of the Order only. There would be no reason for providing that, in case of aid given to a public institution, the action of the Committee should remain secret. Aid given to public institutions or to persons outside of the Order do not necessarily come within the functions of the regularly appointed Relief Committee of a lodge, and therefore it was lawful for the lodge to refer the application to a special committee. The decision of the District Court No. 8 ought to be reversed and the action of Deutsche Reichsloge affirmed.

Digitized by Google

LEO N. LEVI, DISTRICT NO. 7.

This appeal is open to the same objections named in my opinion in the decision of the case brought up by this appellant in the matter of the appeal from *Mamreh Lodge*. For the same reasons stated in said opinion, this appeal must be dismissed. I deem it proper to say, however, that if the case were lawfully before us on the merits, I should vote to sustain the appeal. The Court of Appeals of District No. 8 has placed entirely too narrow and technical a construction upon Section 26 of the By-Laws of Deutsche Reichsloge, 332.

Courts, in interpreting the meaning of a law, should take cognizance of the circumstances of its enactment; the evil, if any, sought to be remedied, or the good to be attained.

The lodge is supreme in the disposition of its own funds, with the sole limitation, perhaps, that they shall not be devoted to purposes antagonistic to the principles of our Order. In order that no improvident dispensations of so-called charity shall be made, and that no worthy subject be denied or overlooked, it is usual to appoint or elect relief committees in all subordinate lodges. The obvious advantage of this delegation of power needs no discussion. I regard it as wholly immaterial whether the committee be appointed or elected. In either event, they are the servants of the lodge, with functions limited to matters exclusively of local concern, and subject to the orders of the lodge. Except in cases of urgent need, the Committee of Deutsche Reichsloge cannot grant relief without special report and authority, and even in the named exception the Committee must confer with the president and treasurer. No report of the Committee and none of its recommendations are binding on the lodge. Were it otherwise, the creature would become greater than the creator. If then, as I think, the committee is simply a convenience by and through which the lodge acts, the lodge can, when it sees fit, act without the interposition of the committee. If a request for relief be made in open lodge, as it might be, the lodge might consider it as a lodge, or resolve itself into a committee of the whole for that purpose, and the regular relief committee ignored entirely. Nothing is more common than such a course, and it is not considered as a reflection upon the ability or an invasion of the prerogatives of the regular committee. It follows, that if the lodge can withdraw from the consideration of the relief committee any given proposition, it may delegate a special committee to consider it. The law always looks to the substance rather than the shadow.

Digitized by Google

It acts directly rather than indirectly. If the Court below be correct, it would be entirely competent and frequently necessary to have the relief committe report, and then, after rejecting the report, refer the matter either to a committee of the whole or a special committee. This would be a farcical circumambulation, calculated to bring the law into contempt. The whole purpose of the law in question is to advise the lodge so that it may act intelligently, and the lodge has the right to get information in any manner it may see fit. The secretary of a lodge is charged with its correspondence, but the lodge is certainly not precluded by that fact from authorizing any member in a particular case to write a letter for it, and yet that would be a stronger case than this.

Besides, the section in question clearly relates to the relief of suffering, poverty, illness, &c., and could only be held to refer to anything else by a strained construction.

It behooves this Court, I think, to rebuke anything savoring of personalities in appeals or responses. It does not accord with the fraternal principles of our order for brethren to reflect upon one another.

Finally, while we may not, without officiousness, assume to advise our brethren, we venture the hope that they will not indulge in controversies about technical constructions of the letter of the law. Our whole organization is founded upon unselfishness, and if that spirit be ever the actuating one, there will be but little difficulty in applying even the obscurest law to any state of case. For the reasons stated the appeal should be dismissed.

MORRIS GOODHART, DISTRICT NO. 8.

The record in this case shows that the worthy brother, who is the president of District Grand Lodge No. VIII., was not a party to the appeal to the Court below, and in accordance with the provisions of Section 4, Art. III., Part 3, of the Constitution, the appeal must be dismissed.

In connection with this appeal, however, I am of the opinion that had the appeal been taken by one of the parties to the record, we should have been compelled to reverse the decision of the lower Court. The Relief Committee of Deutsche Reichsloge appealed against the action of that lodge in appointing a special committee to investigate a particular case presented to them for relief, and the lower Court sustained them in their position. I think this was an

Digitized by Google

error, since a relief committee, although elected, are not, strictly speaking, officers of the lodge, and there is no force in their claim that the lodge cannot refer to a special committee any matter brought to its notice.

Moreover, the Relief Committee admits that the appeal to the District Court was not taken in time. Consent will not confer jurisdiction, and the lower Court should have dismissed the appeal. But for the reasons already given this Court cannot entertain any jurisdiction of this appeal.

DECISION.

The Court cannot entertain jurisdiction of an appeal which is not taken by either party to the controversy or by the District Grand Lodge (See Part III., Art. III., Section 4, Organic Law).

Abrahams P. J., Shroder, Cohen, Greenebaum, Wolf, Lævi and Goodhart, JJ., concurring; Kraus, J., decides the case on the merits, and Sanger, J., not voting.

Greenebaum, Kraus, Levi and Goodhart, JJ., hold, as far as the merits are concerned, that a lodge has the right to refer an application for relief to a special committee other than the regular Relief Committee.

JOSEPH ABRAHAM,
President of the Court.

Digitized by Google

Mar. No. following p. 288.

THE MENORAH

VOL. II. APRIL, 1887. NO. 4.

MY UNCLE BERNHARD *

A TALE OF TO-DAY

BY KARL EMIL FRANZOS.

Translated from the German by G. D. Maduro Peixotto.

CHAPTER II.

BOUND in chains he lay for eight days, on rotten straw, with only bread and water. At last he was made aware of the crime he was charged with; he was said to have stolen a little sack of grain from his neighbor, the sexton. It was found in his cellar when his house had been searched, and the sexton had taken his oath that the sack of wheat was his property and he had recently missed it.

This was certainly no perjury either. But at the same time, no one doubted how the sack of wheat had come to be found in Reinmann's house: through the police themselves at the time of the domiciliary visit. The family of the unfortunate man tried every means to liberate him from prison, or at least to get him out of the clutches of his deadly enemy. If, indeed, his crime was so patent, the police could no longer claim him, for his case belonged to the judicial court of the city judge. A tragical coincidence helped to spur on this zeal of his relatives.

The wife of Reinmann, already a chronic invalid, and always delicate, died a few days after his arrest, in consequence of the fright and trouble it cost her. His relations were, therefore, doubly anxious to regain their father to the orphaned children as soon as possible.

* Copyrighted All rights reserved.

Digitized by Google

The city Judge assisted them in this—perhaps not without the aid of some persuasive means—no matter! He energetically insisted on his right to have the prisoner delivered up. The Prefect only complied after he had received five hundred roubles from the relatives. The examination was short. The prisoner was released in spite of the apparent *corpus delicti*. The court, so ran the sentence, had nevertheless acquired the conviction that a man of the character and wealth of Reinmann could not possibly have so far forgotten himself as to steal a little sack of grain from a neighbor. And this sentence, too, may have cost a little cash, in spite of Reinmann's innocence, but it could not be otherwise.

When the poor man once more entered his house and learned of the death of his wife, his sorrow found vent in hot and bitter weeping for days together. And then at last he became quiet, so quiet indeed, that the children and relatives grew almost uneasy. "Now," said Berisch, "I will seek for real justice at last." And if they reminded him of his old saying, that he could not change Russia, he shook his head and replied, "In this instance, however, I must try, if not for my own sake, well then for the sake of God. He, the eternally Righteous, shall not this time suffer contempt!"

What he planned he told no one. It was only later on that they found out that he had intended to go to St. Petersburg and tell the Czar his story. A mere chance, apparently favorable, saved him this journey. A member of the Imperial family, returning from abroad, was to pass through a neighboring town and remain there overnight on his way to Kiew.

A good reputation had gone before him, and it was said of the Grand Duke that he was as noble as he was energetic; and people rejoiced that an important post in Kiew had fallen to him. That this reputation was well founded, Berisch Reinmann was also to learn. It cost him much money and great trouble to procure an audience of the Prince —quite late in the evening—but when he stood before him it seemed, too, as though all were won.

The young prince listened to him kindly in spite of fatigue, and became greatly excited. "Horrible!" he ex-

Digitized by Google

claimed, and wrung his hands; tears stood in his eyes. His truly human sympathy, as well as his patriotism, were equally the cause of his excitement.

"I Thank you!" he cried; "you are right—the sun cannot shine on such things." He noted down everything exactly. "I will have the case strictly investigated at once, as soon as I arrive in Kiew. . . . . I will advise the Government . . . . . ."

"The Government?" interrupted Berisch. And he related the history of the all-powerful cousin.

Again the prince became greatly excited. "This is really frightful!" he cried. "Then, these slanders, which miserable rascals abroad . . . . ."—he stammered. It dawned on him that then these men in exile were not "miserable rascals," and their accusations were not slanders. . . . . He turned away. Then he stepped up suddenly to the little bent man. "You are not telling lies?" he asked, and pierced him through with his flashing eyes.

The Jew bore his glance quietly. "It is all true," he said, solemnly; "as true as my children are dear to me; as true as I hope once to be re-united with my wife again!"

"All right," said the Grand Duke, after a pause; "I will conduct the examination direct from Kiew. . . . . ."

Three weeks had passed since this interview, when, one morning the Prefect of Police received a telegram from Kiew, from the Cabinet of the Grand Duke. It ran as follows: "The merchant, Berisch Reinmann, is to be delivered here, under strictest escort, for the purpose of an official examination."

The monster rejoiced; now again he had his victim in his clutches. He construed the telegram to mean that the Supreme Court had annulled the sentence of the city judge, and that it was about to commence a new investigation concerning the theft.

He had Reinmann arrested, put in chains, and made out a criminal passport for him: "Criminal, required in Kiew." Then he ordered two Cossacks to escort him from station to station, which meant from prison to prison. "Particularly

Digitized by Google

dangerous" he wrote in the passport, and in order to make all attempt at flight impossible, he arranged the manner in which the Cossacks should escort him—between the two horses, both arms tied to the stirrups. . . . . .

That was all he could do for his victim at present. But for his children he could do more. These were—one, a six-year old boy, and the other a girl of fourteen. They remained now quite destitute, the mother dead, the father under arrest. The law prescribed that in such cases the community should care for the abandoned ones.

The prefect of police *did* care for them, and he provided for them too.

The boy he placed in the nearest monastery of the Greek-orthodox Basilians. But into what house he entrusted the girl ; the tender, pure, and till now anxiously cherished child, this— even the pen struggles against recording . . .

It takes a long time to make the journey from the frontier to Kiew, especially if one makes the trip in the manner Berisch Reinmann had to.

If a wild and desperate energy had not supported him, he would no doubt have succumbed to the unspeakable miseries of the journey. But at last Kiew was reached. Two days he sat in a dungeon, when on the third morning, quite early, a young officer, an adjutant of the Grand Duke, entered his cell. "Come," he cried, quite out of breath, "the Grand Duke is inconsolable on account of this mistake, of which you have been the victim. He awaits you in the palace!" "A mistake," murmured the poor broken man, allowing the tears to flow as they gushed forth from his eyes.

All his torture he had born in tearless sorrow, but the sudden rescue threw him out of all countenance. And the adjutant too was moved. He led the tottering man carefully to the carriage and assisted him into it. "The Grand Duke will explain it all to you," he said. "I am certain you will receive full satisfaction."

Uncle Bernhard nodded silently. "My poor wife," he thought, "will not come back to life again, and what I have

Digitized by Google

suffered no one can make good or remedy." Aloud he said: "Noble sir, how did it happen?" The adjutant was able to tell him everything in detail. "A mistake!" he repeated. It was in fact only this.

When the Grand Duke arrived in Kiew, he remembered his promise, and had the President of the tribunal invited before him, to talk the matter over. The President recommended to have the Jew brought to Kiew, in order to have, before all else, a good foundation for the impeachment, and furthermore because the chief witness would here remain unhampered.

He remembered like cases in his own experience, where investigations of the kind had remained fruitless—the injured parties having been so worked upon by threats or money that they had suddenly discontinued to consider themselves injured. The Grand Duke believed, on account of the impression Berisch had made on him, that in this case nothing of the kind was to be feared, but otherwise he coincided with the President, and thought it best to have the Jew brought to them.

In his zeal he undertook to carry this out in person, and said to his privy councillor, "See to it that the merchant, Berisch Reinmann of B——, presents himself here as soon as possible."

But a privy councillor does not carry out such orders himself. He therefore gave commands to the department-chief of his cabinet, "that the Grand Duke desired to have the merchant, etc., brought to Kiew as soon as possible. You will answer to me for the execution of this order; it is official."

The department-chief gave instructions to his secretary "to have the merchant at once brought to Kiew—for official investigation—and with every precaution, under strict escort." The secretary, however, at once telegraphed, directing this order to the communal authorities, who had to execute all such orders concerning their district, and thus it reached the police headquarters of B.

The Jew was silent, whilst the adjutant told him this history on the way to the palace, and only nodded, as though

Digitized by Google

all that had happened was a matter of course, and he had to approve it. Then after he had sat for a while with closed eyes, he all at once opened them wide, and said in a loud harsh voice to himself some Hebrew words. "What does that mean?" asked the officer; "a saying of our fathers," answered Berisch, "but it would be difficult to translate."

This saying, however, was one of those dismal, dark sentences of the Kaballa, and ran as follows: "From curse comes curse, and from sin cometh sin, even to the last generation. And when the sinner feels that the measure is full, and they fear the justice of God, and desire to atone and expiate, then will their understanding become confused, and from atonement will come sin again, so that the fulfillment of what they have deserved is visited upon them."

The Grand Duke received Berisch kindly, and doubly kind when he noticed how fearfully the unhappy man had altered in a few weeks. "You shall receive full justice," he promised, and he kept his word, as far as it was in his power to do so.

Eight days later the deposed prefect stood before the Grand Duke in Kiew. Berisch was present too. At first the man denied everything vehemently. But in the midst of the examination a telegram was brought to the Grand Duke, which had just arrived from B. The police had confessed to the investigation committee which had been organized on the spot, that they had taken the sack of wheat with them, having received it for this purpose from the prefect, and had placed it in the cellar themselves, in order to "find" it there. Upon this the miserable hound no longer tried to deny his guilt, but fell on his knees and whined for mercy. Two days afterwards he stood before the judges. Reinmann was present on the witness stand.

The process was short. The sentence in Court named twenty years hard labor in the salt mines of Siberia and restitution of the sums extorted from Reinmann.

After the sentence had been pronounced the reprobate begged leave to speak.

"I know," said he, "that there is no appeal against the

Digitized by Google

sentence, and I have to accept it. But to prove to the Court that at heart I am not such a bad man, I will relieve the Jew here present, of the great anxiety he no doubt suffers on account of his children. I have *provided very well* for them, my heart's friend!"

My poor Uncle Bernhard, at these words bent trembling forward, fastening his eyes on the face of his enemy with a deadly terror.

"*Very well* provided for," repeated the monster, "you will be grateful to me on learning that your son will not roast in hell now, as you will, you unbelieving Jew! The reverend fathers in the monastery have baptised him, and he will rest in Christ's Kingdom!"

From the breast of Berisch went forth a cry so wild, so shrill, that the judges sprang up from their seats in horror . . . . . "and now," the fiend went on to say, "as for your daughter. I have given her into the keeping of a woman who has often cared for homeless young girls before, the old Ivanofna! You know who she is Berisch?" . . . . . At these words the unhappy father tore at his heart, as though a shot had struck him—and sank unconscious to the ground —— —— —— —— —— At first it was feared that he would lose his mind, or die with grief. But the human heart can endure more than is generally believed—and Berisch Reinmann lived.

The Grand Duke saw that his daughter was restored to him at once. The son could not be reclaimed for his father even by the prince—for here his power had its limit.

Whoever is once received into the lap of true church in Russia cannot again be withdrawn. Even the attempt to do so, is a crime punishable with death—and this is so even in our day!

Berisch Reinmann remained in B. where they brought his little dying girl to his house, and awaited only her death. He knew that she could not recover—she had suffered too fearfully . . . and after her death he removed to Czernowitz.

This is the story of my poor Uncle Bernhard.

Digitized by Google

HISTORY OF

THE INDEPENDENT ORDER B'NĒ B'RĪTH *

CHAPTER X.

EXTENSION TO THE WEST. AN ENGLISH-SPEAKING LODGE. THE BROTHERS ABRAHAM. ISIDOR BUSH. THE FIRST ORGAN OF THE ORDER, "ISRAEL'S HERALD."

IT was not long before the fame of the new society spread to other cities, and in the beginning of the following year Jeshurun Lodge No. 3 was established in Baltimore, Md. In 1849 a number of Israelites in Cincinnati, Ohio, opened a correspondence with the Grand Lodge authorities in New York, with the view of founding a lodge in that city.

For the purpose of making a closer examination, and more effectually to aid the project, Henry Jones, Baruch Rothschild and Jacob Mühlhauser visited Cincinnati, and after a thorough investigation of all the surrounding conditions, on March 4, 1849, by virtue of the powers conferred by the Grand Lodge, granted a charter, and on the day following duly installed Bethel Lodge No. 4, in accordance with the forms of the Order.

The best elements among the Israelites of Cincinnati joined the new lodge, which, by the zeal and intelligence of its members, speedily exercised a beneficent influence over the community, and spread the fame of the Order throughout the Western country.

Meanwhile the New York lodges had so augmented, that, to meet new applications for membership, it was deemed expedient to establish a third lodge in the metropolis, and Hebron Lodge No. 5 was duly instituted, with all prescribed forms and ceremonies.

To this lodge belongs the honor that soon after its inauguration, it agitated the question of establishing a library, and collected by voluntary contributions the sum of $106.62 towards this object.

* Copyrighted.

Digitized by Google

Until now the membership of the Order had been confined to those of German birth, and the proceedings and transactions were carried on in the German language.

In fact, no translation of the laws or ritual had as yet been made into English. In the West, where Israelites mingled more freely, both socially and in business, with their American neighbors, the necessity of an English-speaking lodge which would serve as a school for practising and perfecting members in the vernacular, was keenly felt; particularly so as there was a considerable number wholly unacquainted with the German tongue who were desirous of joining the new society.

In response to this demand, a number of members of Bethel Lodge applied for a charter, and on January 25th, 1850, Jerusalem Lodge No. 6, of Cincinnati, the first English-speaking lodge of the Order, was formally opened by William Renau, who had come from New York for that purpose.

Some of the most intelligent members of the community, who had hitherto been precluded from joining the Order from ignorance of the German language, now united themselves with the organization, and some of these were destined to occupy exalted positions in its councils. Notably amongst others must be mentioned the brothers Abraham, Lewis and Joseph Abraham, Abraham and Isaac Harris, Morton S. Cohen and Jacob Levy. These members, by their earnest and enthusiastic labors, contributed largely to the progress of the Order in the West and the diffusion of its principles throughout the country.

After the Revolution of 1848 in Europe, a large number of Israelites who had taken an active part in the struggle for liberty, were compelled to leave their homes and find refuge in this country. Soon after their arrival, some of the most intelligent of these joined one or the other of the lodges, and by their identification, their energy and intellectual power, contributed to raise still higher the standard of the Order.

Conspicuous amongst others, Isidor Bush, a printer and publisher from Vienna, a man of scholarly attainments, of

Digitized by Google

exalted character and clear intellect, joined the ranks and soon became one of its leading members.

His fine abilities and his previous journalistic experience in the Austrian capital, pointed him out as well qualified to represent the Order before the public, and aided by leading members of lodges, he undertook to publish a Jewish paper, the first in the German language in the country, and on the 13th of March, 1849, the first number of *Israel's Herald* was issued.

But neither the signal ability of its editor, the zeal with which he espoused the cause of Judaism, nor the efforts of its few but earnest patrons, were sufficient to secure its existence, and, after a fleeting life of three months, it ceased publication from "want of support."

The time had not yet arrived for the successful publication of such a work, but the seed was sown, and Time, the great harvester, would bring its fruit.

Israel's Herald declared its purpose to be the promotion of greater social union among Israelites, not by forcing all to conform to like usages, customs and ceremonies in ritualism, but contending that such differences were not inconsistent to harmonious action for all purposes of general good.

The names of some of its contributors have become "household words" among Israelites.

Dr. Max Lilienthal, who at that time kept a Hebrew and classical boarding-school in New York, wrote an essay on the "Jews in the United States," and also contributed his lectures, delivered before the Society of the Friends of Enlightenment.

Dr. Merzbacher, with his ever-felicitous pen, was a regular contributor of articles concerning the Order, and we find in its columns a plan and a call to form a Society for the Promotion of Industrial and Agricultural Pursuits among Israelites.

Dr. Günzburg, of Baltimore, in an eloquent appeal, urged the formation of a Jewish Emigration Aid Society. The Jewish Hospital of New York was then in its infancy,

Digitized by Google

and Mrs. Matilda Hoffmann agitated the organization of a Jewish Ladies' One Cent Society for the maintenance of a Lying-in Hospital.

The Temple Emanu-El, whose officers and members were mostly composed of the earlier members of the I. O. B. B., received as rent for the hire of its pews (as we learn from a local item in Brother Bush's paper) the sumof $6,084; the total receipts during the preceding year 1848–49 amounted to $6,000. Upon the strength of this support steps were taken to establish a Sabbath-school for the children of the Congregation.

Even the advertising columns of *Israel's Herald* have an interest, and throw light upon the condition of the Jewish community. At that time Rev. Isaac Leeser advertises his *Occident*, and the seventh edition of his "Jewish Manual," which had just appeared. We find Dr. Lilienthal advertising his Hebrew and Classical Boarding School, Henry Kling offering his services as a merchant tailor, Dr. S. Waterman as a druggist; Rev. Dr. James K. Gutheim publishes, by request, his sermon delivered at the consecration of the Synagogue Adath Israel, in Louisville, Kentucky; Philip J. Joachimsen, Counsellor-at-Law; Joseph Ochs invites patrons to his Hotel Harmonie; Bethel Congregation of Albany, N. Y., publishes resolutions of thanks to its Rabbi, Dr. Isaac M. Wise; Henry Frank announces the opening of a printing establishment and book store, and the sale of a Hebrew Prayer Book, translated by Dr. S. Waterman.

It will be seen that our co-religionists were not slow at that early day to encourage the journalistic enterprise, but its failure could not be prevented, and Brother Bush soon after removed to St. Louis, Mo., where a career of great honor and distinction was destined for him, and where he became largely instrumental in promoting and developing the principles and purposes of the Order.

Digitized by Google

HISTORY OF JEWISH LITERATURE *

II.

IN his general introduction Karpeles has briefly expressed his own views upon the history of Jewish literature, its peculiarities and mission. Among others, he says: "The history of Jewish literature embraces almost all the Jewish Scriptural productions, commencing with ancient times up to the present, *independent of the form and language, as well as of the contents of this literature.*" In this short sentence a deep and profound idea is expressed. From this we learn of the two essential peculiarities which distinguish the Jewish literature from that of all other nations. While every national literature has its definite national language, so that the name itself (English, French, Greek, Roman, etc.,) renders us a conception of the language in which this literature is written, the term, "Jewish Literature," does not at all imply the Jewish *language*, but generally a literature, the contents of which, independent of the form or language in which it is expressed, refer to Judaism.

The historical fate of the Jewish Literature is identical with that of the nation.

Following the nation in all its eternal wanderings through different countries, the literature changed its form and language in accordance with the location and conditions in which the nation had been situated. Thus, in the first Biblical period the language was almost exclusively Jewish; in the second, "Judeo-Hellenic," the Greek and Syrian languages prevail; in the third, "Talmudical," a peculiar Talmudic dialect, which presents an agglomeration of many different tongues; in the fourth period, the Arabian equally varies with the resurrected Biblical language; in the fifth, the Rabbinical dialect—a still more heterogeneous and confusing mixture than the "Talmudic"—prevails; and in the modern Jewish literature, we meet with all the civilized European languages, as rivals of the newly-regenerated Biblical language.

* See MENORAH, No 3, Sept., 1886.

Digitized by Google

On the other hand, the history of Jewish literature distinguishes itself from all others, also by the character of its *contents.*

While the general history of literature treats mainly of the productions of fine art (rhetoric), or of popular philosophical works that had exercised an influence upon the life of a nation, the history of Jewish literature analyzes all the forms of Jewish literary productions: religion, philosophy, poetry, science, in short, all the branches of human thought constitute the character of this history, for all of these have exercised a certain influence upon the life of the people.

The theory that literature is not being created by individuals, but by the whole mass of the people, is best justified by Jewish literature.

Deprived of one vital function—of an independent political existence—the Hebrew nation concentrated all its attention upon an other function—its spiritual development.

And hence, the result that the whole mass of the people became literate and intelligent in accordance with the command of God, "And ye shall be for me a kingdom of priests and a holy people."

No doubt, the Hebrew as well as any other nation had its thinkers who were above the average, but these were simply the representatives and, so to say, the spokesmen of a people that reasoned, created and shared in the spiritual life which generally falls to the lot of but a few selected individuals or castes (as the case is with the Hindoos or Chinese).

Many nations did the Hebrew survive and so did his literature; broad is its field and immensely grand is the picture presented by the productions of the Jewish mind whose creative power existed thousands of years before any other had being.

When we think of the gloomy past, the vivid and active giant-spirit of Judaism rises before us; this spirit still lives in our hearts, in our midst, it has followed the nation wherever and howsoever it wandered in its path.

Mr. Karpeles, in his present work, has presented us with a historical biography of this wandering spirit; three

Digitized by Google

thousand years this spirit has been wandering and its eventful life is so full of romance that to follow its historical path would afford our growing generation a pleasure hardly equaled by any researches of general history, of modern civilization or of recent ideas and thoughts.

Let us then, guided by Mr. Karpeles, start with him from the Biblical period.

The Biblical period represents the childhood and youth of the Hebrew nation. The works of this epoch form the production of the creative power of a youthful and sound national spirit. The earliest moments of every people are marked for the collective creative manifestations, the whole nation joining in the construction of historical and religious traditions, songs and legends. There is no room for purely individual imagination at an epoch when intellectually the people present a compact, uniform body, not yet divided into an intelligent class, and an ignorant mass; when the products of thought find a medium of communication not in books—are shaped not in the solitary cell, but spring up under the open air like a wild flower, and dart through the whole nation by dint of live oral tradition. Works of individual creative genius at these epochs form either the offspring of popular tendencies, the poet or thinker collecting and elaborating the works of national spirit on hand, or taking birth in an individual mind imbued with the popular spirit they rapidly are communicated to, and become the common property of the whole people. Such is the character of the works of Homer and Hesiod in ancient Greece, the songs of the troubadours and Minnesingers in mediæval Eastern Europe, the epic literature of Russia. Collections of such popular works appear as the forerunners of more or less rich literature. This was also the case with the ancient Hebrews.

The contents, or what is now the essential part of the Bible, formerly dwelt in the popular memory and was handed down by way of oral tradition from generation to generation. The earliest history of Israel as far as their advent into the land of Canaan, their religious and lyrical songs, their moral

Digitized by Google

statutes, their philosophy, in short all that makes up the nucleus of the books, had existed in the shape of oral traditions much earlier than they were committed to writing in a systematized and doubtless augmented form.

The Bible could not have been written according to historical criticism until the close of the Babylonian captivity, and perfected in the course of some two centuries, while in substance it is the result of many centuries' creative work of the people. It was through this process that the greatest book of the people, which was destined subsequently to become the "Book of the Universe" has been produced.

Nor is this unnatural in any way, for the book presents a collection of what may feed the mind, the heart and imagination, in fact of everything "great, noble and lasting."

"Alongside the most charming legends and simplest pastoral idyls, are found in this holy book, the profoundest discussion of the gravest questions concerning human nature, admirable moral sayings and the most superb poetical sketches; the most humane and noble contemplations and ideas stand beside the ideal structure of a free estate, by the almighty sounds of poetry—the enchanting tones of erotic lyrics; heartfelt and fiery songs of national grief or happiness, suppressed accents of pessimism and lamentations of the world's vanities; solemn benedictory hymns, lofty doxologies. All this is combined in the Bible, in one sublime harmony."

It is to pave out passages and build alleys through this holy primitive woodland that has been the object of modern Biblical criticism. It has certainly succeeded in obtaining a great deal of most important facts in this direction, but the greater part of the work is yet to be performed. The fruit of its efforts has thus far been merely confined to the transformation of a dense forest into a huge labyrinth with pathways, entrances and outlets so numerous, as to plunge the explorer into inextricable perplexity.

The principal attention of critics has of course been concentrated upon the Pentateuch, which constitutes a code of religious conceptions of the ancient Hebrews, as well as of their history.

Digitized by Google

"The Pentateuch," says Karpeles, "is the quintessence of Hebrew literature, for in it the whole course and forms of the law have been already elucidated, or at least indicated." And, as such, it has naturally become the most important subject for criticism.

Its construction, as well as contents, became the field on which many critical and skeptical minds have sought to shake the traditional views as to the authorship and character of the work. And this, to many, seemed no difficult task.

The Pentateuch itself contains passages evidently bearing proof to the theory that it was composed considerably later than the date attributed to it by tradition.

We find therein references to other books (as for instance, to the "Book of the Wars of the Lord," in the Book of Numbers, chap. xxi. 14), which, in fact, would lead us to suppose other scriptural productions in existence before the Pentateuch. Then, the account of the last days of Moses, at the close of Deuteronomy, the prophecies of Jacob, at the end of Genesis, and the xxvi. chapter of Leviticus—which no doubt refer to the period of the Babylonian captivity. All these passages are in apparent contradiction to the generally received traditions attributing the authorship of these books to Moses. The famous narrative of the discovery of the "Book of Law," in the reign of Josiah, *i. e.*, about 620 A. C. E. (Book of Kings, chap. xxii., and 2d Book of Chronicles, chap. xxxiv.,) has completely puzzled historical critics.

There has been a tendency to believe that this discovered book had been Deuteronomy, and that the other four books were composed considerably later. But, on the other hand, all the contents of Deuteronomy refer to the epoch of the Levites, substituting the Aaronites, to whom the exclusive performance of the priestly duties is attributed in the previous books, and hence the weighty argument against the above presumption, and evident proof for Deuteronomy being a product of a later period. The arguments pro and contra this hypothesis are innumerable, and leave the question still open for future inquirers.

Alongside the chronological researches of the composi-

Digitized by Google

tion of the Pentateuch, we meet with a more essential analysis of its contents. The discovery of Dr. Astruc, made in 1753, has directed attention to the fact that in the Book of Genesis, the term "Jehova," varies in different passages with that of "Elohim," and by this Astruc tried to prove the duality of the construction and that of the sources of the book named.

This discovery has been accepted as a starting point; different investigators have accepted and elaborated this view. Eichhorn, Vater, De Wette, Tuch, Lenguerke, Ewald, and others, divided the Pentateuch into separate parts, and each of these they attribute to different periods. Ewald, for instance, claims ten consecutive authors to have participated in the composition of the Pentateuch. This, however, has rendered the question so perplexed, that the scholar Nicolas made up his mind (in 1861), to return to the dualistic theory of Astruc, but in his turn introduced a new theory. From his point of view, the author of the Elohistic parts of the Pentateuch was an Ephraimite, and the Jehovic parts were composed by a Judean. A third author combined both of these into one, to which Deuteronomy was added in the reign of Josiah.

Other researches, however, have led to the conclusion that there had been two Elohists—one an Ephraimite, and the other a Judean, who lived and wrote at different epochs; and that in the interval between the first and the second a Jehovist lived and wrote. This theory has also undergone a whole series of modifications in the works of modern explorers and critics—Schroeder, Neldese, Wellhausen, and others.

The conflicting views of Biblical critics, their constant shifting and subtle disputations at times would seem to rob the Great Book of its divine spirit. It is true that criticism has introduced a gloomy prose into the most enchanting dominion of poetry . . . but should we then lose our respect and admiration for the great work which had been laid at the foundation not only of the religious, but also of the spiritual development of humanity? No. The Bible remains the same in substance, whatever views may be entertained in reference to its composition.

(*To be continued.*)

Digitized by Google

JEWISH SOCIETY.

"Let thy house be wide open." Rabbi Jochanan ben Sakkai in Aboth 1.

A FAMILY, like an individual, cannot afford to remain isolated, to be excluded from intercourse with other families, to be disconnected from the innumerable wider or narrower circles in which there is sympathy and activity, love and compassion, mutual encouragement and mutual moral and intellectual elevation. It is not good for man to be alone. It is not good for a family to be alone. "All the commandments," say our sages, "have not been given, but for the purpose of bringing men nearer to one another."

The family is the component part of society—hence there must be society in the family. Man was not placed here merely that he should live for himself, but also for others. Seclusion in any form was never favored by Judaism. The true spirit of religion never prompted man to go out into the desert and there cut loose from all and every connection with society, to live a life that is no joy for himself and no pleasure for others. Man is naturally gregarious, sociable; every higher object of life itself is lost, where it is not, in all its influences, brought to bear upon the lives of others; it merely vegetates and then languishes like some plant growing up in a lonesome place, unnoticed, alone and forsaken. Now, in order to come right down to our subject, we would give it as our honest opinion, that when a man and woman have met and their hearts are filled to the brim with that heavenly affection which irresistibly weaves around them the sweet, strong, sacred bond of an eternal union, there will be in the very depth of that affection a care, a regard, not so much for its own felicity, as for the realization of fond hopes and longings in the other. That is the main strength and sublimity of human affection; it is unselfish; that in the happiness and satisfaction of the object towards which it is drawn, it finds also its own happiness and satisfaction. If we were to give a daughter of ours in marriage to a young man, one of the indispensable conditions for our consent

Digitized by Google

would be: He must have good and worthy friends, with whom he has worthily associated; and just as the husband is expected to bring into his house and home the wish and will of good friends, just so should, in our opinion, the future wife be able to point at good friends, whose friendship is as valuable to and as worthy of her as is her friendship to them. The blessedness of wedded life brings about an amalgamation, so to say, of the associates, friends and acquaintances on both sides, and as each shares in the pleasures and joys of the others, thereby doubling them and enjoying them twice, so they bring the sum total of their friends for their united love. This is how the bonds of matrimony extend the circle of either of the married couple. Everything they formerly possessed separately, they now possess in common, their fortunes as well as their friends.

We will be borne out in the assertion that bad men have no friends—they have but associates; and so families, not in good standing, of no clear record, will, if they are wealthy and ostentatious in their wealth, have associate families who come to drink their wine and eat their good things, but they have no friends, and, if you please, no society. Their homes may be fitted up in the most magnificent style; they may receive men and women attired in all the splendor of fashion; beauty and gorgeous riches may be represented here; youth, wit and humor may have gathered around these firesides, but let us be candid and admit that though wealth and fashion, youth and beauty, wit and spiritedness are very desirable addenda to society, all this does not solely and exclusively compose what with sensible, right-thinking and right-acting men and women will pass as "society." The popular notion is not always the proper criterion. Those that are called society-people are by no means invariably "society" proper! Those families who so frequently figure in the papers as the ones giving parties and dinners, and all sorts of entertainments, are not necessarily "society."

The refinement, the culture, the true, dignified bearing, the amiability, are by educated men and women sought, not in the rustling of the silks, not in the luxuriously equipped

Digitized by Google

parlors, not in the sparkling of huge diamonds, nor in the sumptuous repast served to the caller, notwithstanding the fact that these are by many considered the fit surrogates of those higher qualities, which with us Israelites are the indispensable conditions of "society," and not only with us, but also with every true man and woman. Money is a very desirable factor for the composition of "society," but only when it is not tainted with some moral defect. Some people entertain the notion that wealth is the highest attribute of "society," and that is a great mistake—a mistake which, in our days especially, is the cause of a lamentable degeneracy, of this mad hunting after gold, of a most demoralizing speculation of the worst kind of materialism the world has ever seen.

Thank Heaven, we say it with a deep sigh of relief, "society" in the Jewish family is even in these days yet worthy and noble. Those disgraceful society scandals which almost daily ring in our ears are of the rarest occurrences among us. How are we to account for this? Simply thus: The family, which is to the true Israelite what the house of the true Englishman is to him, his castle—is as whole and pure as ever, is a sacred tabernacle in which everything and all is admirably fitted together, and of which the smallest as well as the largest member forms an integral part. The society of the husband is the society of the wife. The son will not select his company which is not a fit company to the daughter. The friends of the parents are accepted and befriended by the children. By a long experience we have learned that in Jewish families, with but rare exceptions, no member will form an acquaintance stealthily, no one will even feel inclined to isolate himself or herself from the circles in which the rest find pleasure in moving, and no one will even endeavor to ignore the tastes, feelings and inclinations of the others in the selection of companions and friends for "society."

We love to see the friendly intercourse that exists between our families, and the more your drawing rooms and your parlors are thrown wide open for the reception of

Digitized by Google

"society," the more is that an indication of the healthy state of our sympathies and activities.

These quiet and friendly visits which our families pay to one another—the elders as well as the young ones—these sweet, truly sympathetic calls made at regular intervals, or on occasions of joy and also of sorrow, these little attentions paid not for show, not with display, but for good grace and with cordiality—are good and deserving of praise and encouragement. We like to visit a family which is "in society," if that means that in matters of "society" is neither neglecting nor neglected by others. We would not be the *only one* visitor or friend of a family, for we do believe, as did our sages, "that with whomsoever the spirit of men is gratified, the spirit of God is also gratified."

Among us there is also a peculiar division and gradation of society noticeable: We, too, have good society, better society and best society. But the adjectives good, better and best are not always well applied. Others may do it, but we do not look for the best society where the most money is to be found. Good manners, fine social habits, a dignified bearing are just as necessary for the making up of good, better and best society as wealth and a splendid outward appearance. We find to our pleasure and satisfaction that that curious stiffness and haughtiness that characterize not infrequently so called "best," high toned society, do not form the characteristic traits in the "society" of Jewish families. There may be traces of them here and there, but they are certainly lost in the grand total.

DR. M. SPITZ.

Digitized by Google

HEINRICH HEINE.

We make the following extract from a recent lecture of Dr. M. Jastrow, Senior, before the Y. M. H. Association of Philadelphia.

IT is difficult to understand so anomalous a character as Heine, a man who alone understood himself, recognized his own foibles, and knew his own worth, as he himself described in the lines—

"*My heart is like the ocean, as storms and ebbs and tides,*
And many a handsome jewel in its deep abides."

The two-sided nature of the man is here shown. A poet he was and yet a critic, a Greek and still a Jew, a philosopher and a skeptic, at the same time. To the Greek the aim of life was pleasure, enjoyment, no matter by what means attained. The Jew was an ascetic and yet a restless being, ever striving after something. Using these terms in the broadest sense, Heine applied them to the civilized, the thinking world—Goethe was the representative of the one, and Hengstenberg of the other * * * * * * *

Born at Düsseldorf, December 12, 1799, "Red Harry," as he was called, received his first training at the gymnasium of his native city. His mother, an enlightened, but sincerely religious Jewess, reared him in strict orthodoxy. Heine's father being pecuniarily unable to give his son the benefit of higher education, he was early in life sent to a banking house at Frankfort-on-the-Main. Here the first seeds of doubt were sown, the religious atmosphere of Frankfort being far from pure. Not succeeding in the banking house, he repaired to Hamburg, where a rich uncle, Solomon Heine—a celebrated banker—placed him in the commission business; but the firm soon collapsed, and the uncle had to liquidate all the debts. It was plain that Heinrich Heine was never intended for a business man. Hence, his kind uncle sent him to the University of Bonn, and afterward to those of Göttingen and Berlin.

Now the mental struggles commenced. Heine met Leopold Zunz, already a famous scholar, Edward Gans, the distinguished lawyer, and other lights who had formed a *Cultur*

Digitized by Google

Verein, or literary society, with the object of raising the intellectual status of their fellow believers. So great were the temptations then to desert Judaism for the sake of position that each member of this organization, prior to his being admitted, was compelled to swear fidelity to the parental faith. But Heine soon grew dissatisfied with that circle; he noticed a restless spirit among some of its members, and he was later on deeply grieved when Edward Gans, the President of that same *Verein*, violated his vow and embraced Christianity. * * * * Heine was, meanwhile, engaged in publishing his first poems, and had become well known among the learned. At this period the vague theories of Hegel had currency, and some influence. To such a philosophical belief, which, however, was mere jugglery, and would fain appeal to the believer not less than to the atheist, Heine fell a victim, though subsequently he ridiculed it. Yet he was still a Jew and a satirist such as few of the moderns have approached.

Heine studied law and received a degree. But finding innumerable obstacles besetting his path because of his religion, to his shame, be it said, he accepted baptism in the Christian creed. Hardly had he committed the abominable act when he wrote to a friend acknowledging his awful sin without attempting to offer an excuse, and stating that the Christians now called him "the Jew boy." He soon went to France and lived thereafter in Paris seeking to mediate between the French and Germans, and contributing articles with that aim in view to *Le Livre du Monde*, and the *Allgemeine Zeitung*. But the liberals decried him as a renegade, while the reactionary party styled him a rebel. He stood alone advocating his ideas. The biting satire characteristic of his writings was seen, particularly in his ridicule of Spinozism and Hegelianism, which latter he says, "would attempt to kill God, but has not the strength even to kill me."

A great change had now come over Heine. Indulging in dissipation, like the Greek, he was brought to bed with a sickness from which he never fully recovered. Lying on his "mattress grave" (for such he called his bed), and amid

Digitized by Google

agony, and partial loss of sight, he reviewed his own life. He is again a Jew, and returns to his Creator confessing his shame at being led away by false gods, and becoming still more religious, declares his belief in a personal God, and in the immortality of the soul. He reads the Bible, and is a believer in Judaism, and its ethics as unfolded in the Mosaic law, in its mission, as shown by the history and martyrdom of his people. Few writers have inspired such love for Jewish thought as Heine, inconsistent as was his life. He died in Paris, on February 17, 1856. Heine's works, while blending (as it were) the sublime and the ridiculous, have still the power to charm and elevate the mind.

DR. M. JASTROW.

PERSONAL REMINISCENCES. *

I.

THE most prominent if not the all prevading idea leading to the establishment of the Order of B'nē B'rīth was fraternization. The promoters judged rightly when they decided that by voluntary union of the masses of the people into close communion, means were provided for effectually carrying out many desirable objects that would be difficult if not impossible to attain through isolated separated associations local in their scope and character. Previous to the existence of the Order the administration of benevolent affairs was entirely under control of a number of societies circumscribed in their objects and limited in their territorial jurisdiction. Such associations were known as "Chevras." Other than these and the religious congregations, there were no organizations in the United States. Congregations required, by implication at least, certain concurrence in and obedience to ecclesiastical law and custom, upon which always existed a large diversity of opinion and it will not be

*Continued from March MENORAH.

Digitized by Google

disputed that it was impossible to enrol the larger body of Hebrews into congregational membership. Nevertheless there was a numerous class who while being unwilling to subscribe to all the forms and ceremonies of religious bodies existing at the time of the birth of the Order did not desire to hide themselves from their own people. Such as these willingly entered the avenues opened for them by the B'nē B'rīth and have assiduously worked with their brethren of all phases of belief and opinion under the broad and comprehensive principles of Benevolence, Brotherly Love and Harmony and it is undisputed that many have been gathered into the brotherhood who would otherwise have been lost to the fold.

The details of the work of the institution are well shown by the elaborate statistics kept as faithfully and intelligently as any organized body that ever existed.

Various attempts have been made from time to time to engraft upon the organization subjects foreign to its purposes but except in some minor local instance with no success. At an early day some zealous members strove to intermingle within the organization congregational and other influences; there was only one serious conflict of this character and it ended in the disbanding of the local lodge (Gan Eden of New Orleans).

The Order has demonstrated very prominently the advantages of united energetic action. It was the pioneer in bringing together men of thought, zeal and singleness of purpose without regard to domicile.

Every organization in the country that has been able to call to its ranks membership and aid from various points of the land is indebted to the B'nē B'rīth for its plan, its general principles, if not the very details. Before it existed the rule was segregation where now it is aggregation. If no more than this has been done the imprint of its influence is indelible and a great work has been accomplished. That there have been some things liable to criticism none will be so arrogant as to deny; but it must not be forgotten that a new and untrodden field had to be cultivated that the labor-

Digitized by Google

ers employed were of divers and diverse nationalities, few to the manor born, who had to be initiated into the requirements of American principles and many of whom clung with pertinacity if not with superstition to ideas and sentiments founded on tradition that had become second nature and flesh of their flesh.

Prejudices, caste-jealousies, impressions foreign to the spirit and letter of American theory and practice, all had to be fused in the crucible of the Order and although there is undoubtedly remaining some dross and undue alloy it will not be controverted but that the metal is materially refined.

The B'nē B'rīth present a body of men organized simply for the benefit of the common weal, demonstrating what can be done by concerted action, guided by intelligence and worthy incentives. There is every reason to expect as time rolls on, guided by past experience, the future will prove the Order to be a valuable factor in the body politic.

LEWIS ABRAHAM.

(TO BE CONTINUED.)

THE JEWS OF FRANCE—SOME PERTINENT FACTS

THE noise made by the anti-Semitic movement in Central Europe and in France by M. Drumont's book gives an unusual amount of interest to the information, always supported by statistics, which is contained in the recently published "Annual of the Israelite Archives," for the year of the world 5647, 30th of September, 1886, to the 8th of September, 1887. It was not intended as a reply to the author of "La France Juive" Being an every year's publication, it is no way polemical or controversial, attacking no other faith, but it comes with singular relevancy to refute a great many of the assertions of that gentleman, who has paid rather dearly in the flesh, if he has been a gainer in the pocket, for his denunciation of an entire race, for which he would renew the persecutions of the Dark Ages. An intro-

Digitized by Google

ductory article by an eminent Hebrew litterateur precedes the "Annual," and in that preface alone can be found allusion to the unjustifiable attacks of the individual who, until that sudden access of religious fervor, had not been particularly distinguished for his devotion to Catholicity. M. Prague, who is the writer of this preamble, estimates that the impression left by an examination of the report of the last twelve months is very satisfactory. The Jews may not be as respected and esteemed everywhere as they deserve to be, but at least they have the consolation of knowing that their adversaries are divided among themselves. "Anti-Semitism is not dead, but dying, and it becomes our duty by loyalty and probity, by modesty and reserve, by a frank and active co-operation in the great work of civilization, to disarm those prejudices which cling to us like so many noxious parasites, and thus render powerless our enemies, be they overt or occult."

M. Prague complains of the treatment of Jews of Polish and Russian origin, and contrasts their situation beyond the Rhine with their situation in England, where Sir Nathaniel de Rothschild has been admitted to the House of Peers, while in Austria, by a special decree of the Emperor, two Israelites, MM. Hirschler and Schwab, are allowed to represent Judaism in the Chamber of Magnates, in spite of the opposition of the Imperial Parliament.

In Italy, also, tolerance is becoming the rule; but, "there alas! the Israelite sentiment is blunted, it is growing to be flaccid amid the refinements of modern life. In France, the great question of the day is that of the separation of Church from State, but this is not a cause for apprehension to Judaism, which is strong enough, if necessary, to fly with its own wings. Still, it is not encouraging to notice the want of interest exhibited by Israelite deputies in combating anti-religious tendencies. The four born Jews who now, as last year, belong to the French Parliament are "absolutely indifferent to the possible wants of the conflict which every day becomes more threatening." The increasing influence of the Jews in the domains of science, art and literature is,

Digitized by Google

however, hailed with great satisfaction, and M. Prague points with pride to the fact that while the French Institute, twenty years ago, only had among its members three of the chosen people, it now has the names of ten upon its roll of honor.

Another contributor, M. Ben Mosche, takes up the matter of nobiliary distinctions, and, although his vanity is evidently gratified at his ability to declare that his co-religionaries are no longer exclusively plebeians, he can not but give utterance to a kind of a sneer when he asks: "What need is there for Jews to buy titles, to call themselves Baron, Count, Marquis, when, according to the Talmud, all of us are Princes? Has not one of our doctors said with justifiable pride: 'All the Israelites are sons of Kings!' And the Lord has given to us a grander, a more glorious title when he said to the people of Israel: 'You shall be for me a kingdom of pontiffs.' We do not descend from the Crusaders, it is true, and for the best of reasons. The sons of the companions of Louis IX. can affect to treat us with contempt, but our nobility has an earlier date in history than theirs! We can find it at the foot of Mt. Sinai thirty-two centuries ago. It is by God that we are ennobled. And our parchments in antiquity, if not in authority, are worth as much as those of the Christian knights."

All the same, M. Ben Mosche is delighted that there is a Jewish aristocracy, that "ennobled" Israelites like Counts Comando, Cahen d'Anvers, Barons Rothschild, d'Almelda, Hirsch, de Goldsmith, etc., are leaders of Parisian fashion; that Count d'Avigdor and Messrs. D. Stern and de Worms are luminaries in London; that M. von Spinger is a personage at Vienna, and others, whose origin was equally obscure, are men of mark in Amsterdam and Florence. And who can blame M. Ben Mosche? Save M. de Rothschild, all of his illustrations sold lorgnettes or picked-up cigar stumps on the pavement twenty-years back; and it is a proof of their intelligence that, with such a wretched start, they should have reached their present exalted position.

Concerning the figures of the entire Jewish population of the globe there is a difference of opinion among the statisti-

Digitized by Google

cians, but the *Annual* declares that France contains 63,000; Germany, 592,000, of whom 39,000 inhabit Alsace and Lorraine; Austro-Hungary, 1,644,000, of whom 688,000 are in Galicia, and 638,000 in Hungary proper; Italy, 40,000; Netherlands, 82,000; Roumania, 265,000; Russia, 2, 552,000, (Russian Poland, 768,000); Turkey, 105,000; Belgium, 3,000; Bulgaria, 10,000; Switzlerland, 7,000; Denmark, 4,000; Spain, 1,900; Gibraltar, 1,500; Greece, 3,000; Servia, 3,500; Sweden, 3,000. In Asia there are 300,000 of the race; Turkey in Asia has 195,000, of whom 25,000 are in Palestine; 47,000 are in Russian Asia; 18,000 in Persia; 14,000 in Russian Asia; 18,000 in Persia: 14,000 in Central Asia; 1,900 in India, and 1,000 in China. In Africa, 8,000 Jews live in Egyt, 55,000 in Tunisia, 35,000 in Algeria, 90,000 in Morocco, 6,000 in the Tripolitan, and 200,000 in Abyssinia. America counts 230,000 * among her citizens, and 20,000 more are distributed in other sections of the transatlantic continents, while only 12,000 are scattered through Oceanica. In short, the entire total of the Hebrew race on the surface of the globe is estimated at 6,300,000. †

The first appearance of Israelites in the French Parliament was in 1839, but since then this nation has always been more or less numerously represented in the Chamber of Deputies, and after the advent of the Republic in the Senate, of which MM. Naquet and Millaud are influential members. Adolphe and Ferdinand Cremieux, Achille, Benoit, Gustave, and Edouard Fould, A.M., Godchaux, Max Kœnigsberger, Cerfbeer, Eugene Pereire, Bamberger, E. Lisbonne, Ferdinand Dreyfus, Raphael Bishoffsheim, D. Raynal, Emile and Leopold Javal are men of whom any party and creed may well be proud. The Israelite worship in France is administered by a central consistory at Paris, and by twelve territorial consistories.

There are three synagogues of the German rite in Paris —Rue de la Victoire, Rue Notre Dame de Nazareth, and Rue des Tournelles; the temple affected to the Portuguese rite is situted in Rue Buffoult. Educational and benevolent Jewish

* Should be 330,000. † At least 7,000,000.

Digitized by Google

establishments are numerous in the French capital. They comprise a Comite de Bienfaisance, instituted in 1810, of which the principal attributions are almsgiving, inhumations, and the education of youths of both sexes; a Fourneau Economique in the Rue Malher, and a vestaire (clothing establishment) in the Rue St. Claude. The two latter are of recent creation.

The consistorial schools have been administered, since 1874, by a so-called school committee and a committee of lady inspectors. They are three in number, with 615 pupils, and are supported by the consistory. In addition to these there is the Talmud Torah Institute, where scholars eventually destined to the Israelite Seminary of the Rue Vanquelin are educated. Three communal schools or asylums are also under the management of the School Committee, as well as the Bischoffsheim Institute—a manual labor school for girls—and the Normal Oriental School. Among the benevolent institutions must also be cited the Hospital and House of Refuge of the Rue Picpus, the Rothschild Orphanage of the Rue Lamblardie, the Neuilly House of Refuge, the Society for the Patronage and Establishment of Jewish Girls and the Society of Patronage for Jewish Workmen and Apprentices. In addition to the above there are a great number of minor charitable societies, of which the object is to encourage education and to distribute assistance to their necessitous coreligionaires.

Digitized by Google

AMERICAN ART.*

I DESIRE to call your attention to a subject in which, I think, the Club can take a peculiarly appropriate interest.

There are at present no great questions occupying our minds or time. But there are matters outside of political issues and in the field of general discussion and controversy which are important constituents of the forces of education and culture, or rather germs of national character. Among them none are more important than the encouragement and development of art. Our club has in its gallery at each monthly meeting the best pictures of the different foreign schools, and on one memorable night during the year we were gratified and surprised by the success of the committee in collecting a remarkable exhibition of the works of American artists. It was here that the idea of the Metropolitan Museum of Art originated and took practical and enduring form. Its projectors found that New York alone, among the great cities of the world, had no public gallery or collection where the people could enjoy the pleasure of seeing and studying the best results of the genius of all ages on canvass and in the metals and stone. The Metropolitan Museum, in its present and its promise, redeems our city from the charge of utter and beastly sordidness, and with municipal and individual benefaction it will become a grand treasury of the past and the popular college for the future. But its best features must necessarily belong to other civilization than our own. We have money and mines, factories and farms, mills and telegraphs, and railroads enough to give a distinctively American character to our industrial life; we have at last a recognized national literature, and we want and must have an equally original and universally recognized School of American Art. The idiosyncrasies produced by the commingling of all nationalities in our cities, the wild life of our plains, the picturesque conditions of frontier, mining and hunting

* Extract from an address before the Union League Club of N. Y., Feb. 1886.

Digitized by Google

camps, and our unrivalled scenery, present unequalled opportunities. Now every palace and picture gallery from Maine to the Golden Coast is filled with representations of court and castle scenes, of queens' drawing-rooms, imperial reviews, German and French soldiers, or cottage and tavern interiors of a peasant life foreign to us. Neither historical characters and events, or popular incidents or characteristics, or scenery, recall or suggest anything except to travelers, and to them only the memories of an idle day.

We pay fabulous sums for these canvasses, and in many cases the buyer purchases names, not works of art. He fears the sneer of the critic and Americo-phobiac; he would fight for his country's liberty or honor, but would die sooner than encounter the suspicion that he was ignorant of art, because his walls were hung with American pictures. The American artist, whose paintings sell for $200 at home, goes abroad for a few years, has his picture in the Salon, puts a foreign prefix or affix to his name, and gets $2,000, in addition to the duty, for anything he does. It would promote patriotism and immeasurably increase refinement and culture in its best sense if, under proper encouragement, American genius was framing on undying canvasses the glories of our history and heroes and the beauties of nature's noble gifts, and the novel situations presented by the original conditions of our complex national life.

I firmly believe in the policy and beneficial results of a wise protective tariff, in encouraging and fostering our industries and products, but under the pretext of revenue, when the surplus is so great that it already threatens the peace and virtue of the country, interest or ignorance puts provisions into the statutes which threaten to bring the whole system into contempt. An alien dealer, a sharp lawyer and a careless committee formed the combination which made possible a duty of 30 per cent. on works of art. Genius knows no limitations, neither of race, of territorial boundaries nor of time. The productions of the modern continental and English schools are among the noblest works of any age.

For our enjoyment and education, until we have a well-

Digitized by Google

defined school of art, and always thereafter, as parts of every well selected gallery, we should freely welcome these splendid creations. American artists did not ask for this protection; they have petitioned for its repeal. The Art Committee of this club sent out a circular to American artists, requesting their views on the art tariff. Eleven hundred and ninety-seven answers were for free art and only seven for the tariff. When in Europe recently I found that young American artists were given the same advantages in the great studios and galleries as the citizens of the various cities. No differences were known and no distinctions made on account of nationality. But their position was annoying and mortifying. Their fellow-students, the English, French, German, Spanish and Italians, could sneeringly say, "We give you freely every opportunity which our older civilizations possess and we enjoy, and you return the courtesy by putting a tariff of 30 per cent. on our pictures. It marks your judgment of the value of our works as against yours, with the same training and masters. There is heredity in art, and we have behind us Raphael, Titian, Murillo, Rubens, Reynolds and a host of others; you have nobody." The influence of the Union League Club should be vigorously exercised for the recognition and development of American art. While pictures are the most durable and satisfactory of the investments of luxury, their value often fluctuates by the caprices of fashion, but the judicious discretion of our Art Committee could make native works of merit standards of taste in every collection.

The club should be represented at each annual exhibition, and, under the advice of its most competent members, select and purchase a few of the best. This would come in time to be a decoration and medal, inspiring the most brilliant efforts and emulous rivalry. Our rooms as the years advance would mark the progress and growth of American art and its steadily increasing power for larger conceptions and nobler work, and many a genius, who might otherwise die unknown, would reach fame and fortune by having merited the favoring verdict of this club.

CHAUNCEY M. DEPEW.

Digitized by Google

THE FISHER-WIFE.

I.

The night-wind howls on the moor without,
The rain beats against the pane ;
But there comes a cry through the storm to-night,
Which is neither wind nor rain.

II.

It sounds like the shriek of a human voice ;
Then sinks unto a moan :
God pity the Fisherman at sea,
Or wife that is alone !

III.

With masts all gone and rudderless,
On through the angry waves,
That rise like mountains on every hand,
Then yawn like open graves,

IV.

Through boiling surf, through wind and wave,
A vessel, once staunch and strong,
On, on the rocks, by the howling blast
Is driven, a wreck, along.

V.

A shock, a shudder, a piercing shriek,
But who is there to heed ?
Yet Love can speak through howling winds,
And tell Love of its need.

VI.

All is cosy and warm in the fisher's cot,
The board with supper spread,
And the Fisher-wife is young and fair ;
Why thinks she of the dead ?

VII.

The night wind howls on the moor without,
The rain beats against the pane,
But there comes a cry through the storm to-night,
Which is neither wind nor rain.

Digitized by Google

VIII.

With a sudden shock her heart stands still,
For the door is open blown,
And a cry comes down on the howling wind,
"Oh! come to me, my own!"

IX.

Out in the storm with eager feet,
She hurries with all speed,
She fears nor rain, nor howling winds,
Nor whither her footsteps lead.

X.

The salt spray dashes against her face,
Again from over the sea,
She hears the cry—"My own";
And calls—"I am coming my own to thee."

XI.

Into the cruel and angry surf
She springs with lithesome heart,
"My love, my love is calling me,
We cannot live apart."

XII.

At morn upon the surging beach,
Locked in their last embrace,
The Fisher and wife lay cold and still,
Yet joy shone on each face.

BENJ. FRANKLIN HAYS.

Digitized by Google

CHAPTER XI.

BUCHAREST IN 1871. FIRST OFFICIAL VISIT TO MINISTER CATARGI. THE REIGNING SOVEREIGN, PRINCE CHARLES. THE DIPLOMATIC CORPS. SKETCHES OF SOME OF ITS PROMINENT MEMBERS.

BUCHAREST, the capital of Roumania, at the time of my arrival, contained a population estimated at 222,000, 25,000 houses, three hundred inns, one hundred and fourteen Greek Orthodox churches, three Roman Catholic, one Lutheran, one Calvin, one Armenian, ten Synagogues, twenty Chevrahs, fourteen toll gates, forty furnished lodging houses and hotels, one hundred cafes, sixty private gardens, six hundred public vehicles, six public places, one artesian well, seven cemeteries, a university, two lyceums, two gymnasiums, one seminary, a commercial school, a normal school, a girl's secondary school, a school of medicine and surgery, one veterinary school, a conservatory, a school of fine arts, a Macedon-Rouman school, sixteen boys' primary schools, fourteen girls' primary schools, twelve private boarding schools for boys, eighteen for girls, fourteen printing offices, twelve book stores, six lithographic establishments, a public library, a museum (zoology and mineralogy), one of antiquity, a foundling hospital, numerous private hospitals and several great hospitals, such as Brancoveno, Colta, Mavrogheni, Colentina, besides a military and Jewish hospital.

With all these apparent advantages speaking of advancing civilization, the city itself, from a material point, was wholly devoid of modern improvements.

No regular pavements or sidewalks except here and there a street of cobble stones and boulders glassy with age, and having no drainage except through a channel in the centre to which both sides of the street inclined. The majority of the streets were, however, of primitive earth, unfathomable in mud or blinding in dust according to the season.

Digitized by Google

Scattered lamp-posts with feeble oil flames made the darkness doubly obscure, and lanterns were carried when no moon lit up the dismal way.

Bucharest was also the seat of the Metropolitan Bishop of Hungary and Wallachia, the residence of the Prince, of the Ministers of State, the Senate and Chamber, the Court of Cassation, Court of Appeals, and other superior civil and military authorities.

My first official visit was to Mr. Callimaki Catargi, the Minister of Foreign Affairs, who received me with great cordiality, and expressed his admiration for the United States. "Your country," he said, "its constitution and laws are greatly admired by Roumanians, and we should be glad to cultivate more intimate relations." On my informing him that I bore the Berat of his Majesty the Sultan, the Suzerain Power of the Country, accrediting me to Prince Charles, the Hospador, he said: "We Roumanians no longer recognize the authority of the Sultan in matters of political concern, and I must pray you to obtain letters directly accrediting you to his Highness the Prince, whom we alone regard as our sovereign. Meanwhile the Government will be happy to recognize you diplomatically, but in a semi-official character. The Prince will be most happy to receive you in a private audience, which I shall be pleased to procure whenever most agreeable." We discussed together several points, and the interview was in every respect most agreeable.

The next day I received a return vist from the Minister, who came to inform me also that his Highness the Prince would be glad to receive me the following day. At this second interview he informed me further, that my colleagues of other nations had complied with the wish of the Prince, and obtained separate letters addressed to his Government.

Calling upon the British and German consuls, Mr. John Green and M. de Radowitz, I ascertained that they had virtually complied with this request, and obtained from their Prime Ministers letters of credence to the Prime Minister of Roumania, and I therefore telegraphed to the State Department requesting Secretary Fish to forward a similar letter.

Digitized by Google

The reigning Sovereign was Prince Charles-Eitel-Frederic Zephyrin, second son of their Highnesses, Charles-Antoine Joachim de Hohenzollern-Sigmaringen and Josephine-Frederique-Louise, daughter of the deceased Charles, grand Duke of Baden. Prince Charles was born on the 20th of April, 1839, at Sigmaringen, and on my first audience with him had not yet attained his thirty-second year.

On his father's side the Prince is a distant relative to the illustrious house of Hohenzollern of Prussia and on his mother's to nearly all the great reigning families of Europe.

The Prince is besides connected with the families of the ex-Emperor Napoleon III, his maternal grand father, the grand Duke of Baden, having married Stephanie-Louise, adopted daughter of Napoleon I.

In the month of April, 1857, having finished his studies, Prince Charles entered a Prussian Regiment. In 1861, having obtained a leave of absence, he visited England, Portugal, Spain, Italy, Algiers and France for the purpose of studying the military organizations of those countries. In 1864 he took part in the war of Schleswig-Holstein where he assisted in several battles and was decorated by the King of Prussia and the Emperor of Austria with several military orders for his brilliant services. On his return to Berlin, Prince Charles was named a Captain in the Second Regiment of the Dragoons of the Guard. In 1866, having obtained a new congé, Prince Charles returned to Düsseldorf. It was at this time that his father, Prince Charles Antoine of Hohenzollern, received a delegation of Roumanians who, speaking in the name of the country, proposed the candidature of his son for the throne of Roumania. On the 14th of April the Roumanian people, by a vote of 684,969 against 224, chose Prince Charles as their Sovereign. On the 20th of May the Prince landed at Turnu-Severin, the first port on descending the Danube in the country, and on the 22d of May arrived at Bucharest. Here he was met by the Regents, General Nicholas Golesco, Lascar Catargi, and Colonel N. Haralambie, and all the high dignitaries of state, and in the midst of enthusiastic acclamations of the people received the crown

Digitized by Google

of Stephen the Grand and Michael the Brave. On the 19th of August the new Constitution was voted and on the 30th the Prince took the oath of fidelity in presence of the National Assembly.

On the 15th of November 1869, Prince Charles was married to Pauline-Elizabeth-Ottilie von Weid, who was born on the 29th of December 1843, daughter of the late Prince William-Herman-Charles von Weid and of Marie-Wilhelmina-Frederic-Elizabeth of Nassau.

A lovely daughter born in September, 1870, blessed this happy union.

At the time of my arrival in Bucharest, the diplomatic and consular corps, accredited to the Court of Roumania, was composed of the following gentlemen representing their respective countries:

Mr. John Green, Great Britain; Baron d'Offenberg, Russia; M. von Radowitz, Germany; M. de Millinet, France; Baron de Pottenberg, Austria-Hungary; Baron de Fava, Italy; Mr. Bartholeyns de Fosselaert, Belgium; Mr. A. Manos, Greece; Mr. Keun, Holland; M. Zukitch, Servia.

With all of these gentlemen I soon became on excellent terms, and with some very familiar. Mr. Green had been already nearly thirty years in the foreign service of Queen Victoria, passed almost entirely in the East, and was a diplomat skilled in the wiles of Oriental diplomacy. A little below the medium height, of rather florid complexion, full habit, fine eye, close shaven face, his white hair alone told of his three-score years. Of jovial disposition, his long experience made him laugh at the daily rumors of conspiracy and war, and yet cautious and discreet in his opinions. Like our own eminent Secretary of State, he was fond of his rubber of whist, and like every true John Bull received and read the *Times* regularly, and with good faith. His age, experience, and length of residence at Bucharest made him the Doyen of the Corps, and his hospitable roof the gathering place of his confreres, as well as of the more intelligent of Roumanian society. Mrs. Green ably seconded her husband in the social circle, her gracious, amiable and cordial manners winning

Digitized by Google

friends on all sides. Baron Pottenberg was the scion of one of the oldest families of Austria-Hungary, if I remember aright being an Esterhazy. Of commanding presence and courtly manners, he was an especial favorite in the society of the softer sex, and no doubt won many a state secret, while apparently caring for nothing but the fleeting pleasures of the moment.

To him I bore a letter from Baron Rothschild of Vienna, which procured me at once a cordial reception and personal introductions into some of the "first families" of the capital. His sojourn in Bucharest was, however, too limited to prove of any important service to my mission, for he was shortly after called by his government to other functions, and subsequently to be Minister at Stockholm.

In the French Consul General M. de Millinet, a relative of Mr. Thiers, I found a warm sympathizer. A gentleman of the old school, refined and polite, but full of the milk of human kindness, he from the very first moment entered earnestly into my views, and gave me the benefit of his wide experience. Baron d'Offenberg, who represented Russia, had little of the Cossack about him. A Courlander by birth, all his instincts and sympathies seemed to me to be German. He was frank, open and most cordial, and we became, and continued, till he was subsequently promoted to be Minister at Washington, warm friends.

Digitized by Google

JEW AND GENTILE.

"But when they knew that he was a Jew, all with one voice about the space of two hours cried out, Great is Diana of the Ephesians." Acts xix., 34.

This was a terrific tumult raised in Ephesus by a merchant. When an attempt was made on the part of those who were aggrieved by the riot that took place to defend themselves by exposing their principles and their processes, the mob forbade them to speak. How far the world has grown since that time is shown by the fact that when in our days a merchant attempts to hold up to shame and disgrace men that are unoffending, there is no riot and mob, but for the space, not of two hours, but of two days (which in New York is an age for one thing to be of interest) the whole people have sympathized with those that are wronged.

It is not my purpose to-night to make any personal sermon. Certainly, if I had the disposition to do it a fairer opportunity never could present itself. I have the pleasure of the acquaintance of the gentleman whose name has been the occasion of so much excitement —Mr. Seligman. I have summered with his family for several years. I am acquainted with him, with his honored wife, and with his sons and daughters; and I have learned to love and respect them During weeks and months I was with them at the Twin Mountain House; and not only did they behave in a manner becoming Christian ladies and gentlemen, but they behaved in a manner that ought to put to shame many Christian ladies and gentlemen. They were my helpers, and they were not only present at the Sunday services at the Twin Mountain House, but they were present at the daily prayer meetings on week days, volunteering services of kindness. I learned to feel that they were my deacons and that in the ministration of Christian service they were beyond the power of prejudice and did not confine themselves to the limitations which might be supposed to be prescribed by their race. Therefore, when I heard of the unnecessary offence that had been cast upon Mr. Seligman, I felt that no other person could have been singled out that would have brought home to me the injustice more sensibly than he. With this statement I dismiss the personal matter.

There are about seven million Jews in existence in all the nations of the earth. They are living in almost every land under the sun. The excel all other people in being despised. There is not another race of people that is in such a sense a benefactor of the human race as they are and have been. For two thousand years

Digitized by Google

they have experienced hatred and contempt and persecution. They are an extraordinary race by their faults, by their virtues, and by their long experience. They have been twined in the history of every nation, Oriental or Occidental, ancient or modern; and yet they have never lost their race distinctions. They have mingled, but not *mixed*, with the nations which held them.

From the Hebrews the world has received a treasure of benefit such as no other people has ever conferred upon mankind; and those things in which we count ourselves most advanced, and which we boast as being blessings which we are conferring upon the nascent nations of our times, were derived as seed corn from this notable people; and we are but raising harvests of that which they raised three thousand years ago.

"In thy seed shall all the nations of the earth be blessed."

That was promised to Abraham, and it has been fulfilled to the letter; for every civilized nation on the globe is to-day, if it would understand the source of its benefits, blessed in the descendants of Abraham. Those heroic people stand pre-eminent as the unrecognized benefactors of the human race. If any people ever lived whose faults might be condoned in consideration of their invaluable service to religion and to civilization, it is the Hebrews. If any people ever had a full measure of every form and degree of injustice meted out to them, it is the Hebrews.

Happily, in all the world the moral sense of mankind is checking the indignities and correcting the prejudices which for four thousand years have been raining upon the heads of this much wronged people. Now and then a flash of the old fire breaks out, such as we have recently seen, but it is transient, it is feeble, and it serves to show how weak the malign elements in civilization are, and how much generosity and justice are infused into the popular feelings.

Let us look at the contributions which have been made to the world's stock in civilization by the Hebrews. It may surprise some to be told that commonwealth, as we understand it in republican goverments, is unquestionably of the desert, and that our institutions sprang from the loins of Moses's mind; but it is true that he reared, in his retirement and relative obscurity, the pillars—or at any rate the foundations on which we are rearing the pillars and the superstructure. The commonwealth of the Israelites contained in it the seeds of all subsequent commonwealths.

The people that most saturate themselves with the whole economy of the Old Testament is the people among whom popular

Digitized by Google

liberty is most likely to be developed; for, although the doctrines of the New Testament give to man in the ideal such an elevation as that wrong toward him becomes an indignity toward God, yet the working forms of political institutions which lie at the foundation of popular liberty and popular right are to be found in the Old Testament rather than in the New. An appeal to the people on all great questions of polity; the educating all the people to have a public sentiment about their own affairs; the attempt to conduct a government, whether by prophet, by priest, or by king, for the benefit of the people themselves—these fundamental elements belonged, and I think belonged first, to the Hebrew Commonwealth. The more one studies the genius of legislation in the earlier periods of the national existence of the Hebrews, the more he will have reason to perceive that we are deriving, as it were, the very nourishment of our public life from those remote times, and that we are indebted to this people for those very things which make us able to despise anybody or anything.

Closely allied to the organization of government, and indeed precedent to it, as the very condition of successful and continuous government, is the household. Now, the family emerged from barbaric forms earlier among the Hebrews than among any other people, and passed into that condition which has enabled it to perpetuate itself. For although, according to the teaching of our Master, Moses permitted polygamy, it was only by sufferance and on conditions that would surely extinguish it, and that did extinguish it. So it may be said that, in spite of the patriarchal example of early times and later times, the great body of common people among the Hebrews were brought up in the spirit of monogamy, and the household was constituted by the love of one man to one woman. In the rearing and governing of a family of children the household was a great school of all virtue and integrity. If there be one thing that is striking in the economy of the Hebrews from the ancient day it is their care of their children; the instruction that they gave to them; their guidance of them in their rising up and sitting down, their going out and coming in. Their great aim was to instruct their children in a knowledge of their own institutions; in a knowledge of the history of their people; and in a knowledge of those ordinances of God which had made that history celebrated. On no other point was there so much urgency in the instruction of their children as on that of character; and in no other nation were children ever reared with more care. That feature was continued down through all the mediæval darkness, and is characteristic in Jewish households to this

Digitized by Google

very hour. In intelligence, in home life, in purity, in exaltation of sentiment, and in extraordinary care in the teaching of children, there are not to be found in the palmiest communities of the best Christian households those that surpass the best families of Jews at this time. We have borrowed their example, and are rearing our children after the pattern and inspiration of the Jewish household as it has existed from the days of Moses onward.

I cannot fail to point out that, too, how, in that Oriental land, and in that early day, the virtue of industry, of personal independence, of work, was understood and enforced. During the time when Plato declared that in his ideal republic there should be no mechanics; during that long intermediate period when to be a working man was to be shut out from all hope and honor and elevation in society; during the times when monarchy and aristocracy frowned upon labor; clear down to the day when, contrary to the fundamental principles of our institutions and the design of our fathers, slavery in this land made work dishonorable, and was eating out the inner life of it; from four thousand years ago down to this day—work has been honorable in the Jewish household; and that motto, that proverb stands, which stood at that early period; "He who brings his child up without a trade brings him up to be a thief." On that principle the children of the richest Jews, of Jews in the highest station were taught how to maintain themselves by their own hands and by their own industry. The making of work honorable is one of the boons which God has given to the human race through this remarkable people.

Then we are to take notice how in the Jewish nation, from the very earliest day, woman took that position to which she has been coming for two thousand years since through the inspirations of Christianity. While all around them in the barbaric East, woman was the degraded object of man's lust, or of his convenience as the drudge of the household, at that very time the Jewish institutions were ministered to by priestesses; by women of singular virtue and sagacity and eminence. In Greece a woman was not even permitted to go to the door to greet her husband or son as he came from the battle-field. She was not allowed to know music or poetry or philosophy, if she would be virtuous. There were women in Greece who were educated to all the embellishments and arts of life; education in Greece among women was given with a large hand; and they were educated in everything that we consider, to-day, as most befitting the noblest women; but, alas! no woman was so instructed unless she was to be a courtesan. If a woman was to be a mother, and a

Digitized by Google

woman honored for domestic virtue, she must be ignorant, and must not even show her face in a public assembly and she must not appear unveiled in the streets. But while such was the law in intellectual and artistic Greece, in Palestine the mother, the wife or the daughter with unashamed and unveiled face might look upon any man ; and if called to any function, there was no public sentiment and no law that prevented her assuming that function. Whatever a woman could do well, and was called of God by inspiration to do, that she was permitted to do ; and she stood honored by what she was. That invaluable contribution to humanity we derived from the early example of this great people.

They also gave to the world, by their ancient economy, a religion whose genius was the development of manhood. In other words they gave to the world an ethical religion as distinguished from a worshiping and superstitious religion. Although the Jew made manifest every office of devotion and reverence, and although you might select from the Jewish writers saints as eminent in observances as any others; yet the distinctive peculiarity of religion among the Israelites was that it had a practical drift as regards the conduct of men. It did not expand itself in lyrics and prayers and worship. It descended to the character of men, and sought first, and above all other faiths of that age, to develop manhood. For the whole flow of that word "righteousness," in the Old Testament is the equivalent of our word "manhood," in modern phrase, and *seeking after righteousness* was the distinctive peculiarity of the religion. It bred a race of men who put into the building of themselves the attributes of truth, of justice, of humanity, of morality, of gentleness and of humility. It reared men who had no equals, and with whom there was nothing that could compare in their own time. The Greeks built better temples than the Hebrews ; but though the Hebrew hand never carved a marble, it did better—it carved men. While the Greeks were so corrupt in social matters that they had not moral sense enough to hold the State together ; while their national life was perpetually breaking down under the stress of human nature for lack of manly character ; while they were making wondrous pictures ; while they were building world-renowned temples ; while they were carving heroes in gold and ivory than which the world never saw greater, and will never see greater ; while they were making a *simulacrum* of mankind, the Hebrews were making *mankind* —they were making *man*. Such was the very drift of their religion. And the apostle, having received the culture of Greece at the feet of his great teacher, and knowing what it meant, declared that his

Digitized by Google

brethren sought after righteousness, but that they did not well understand what were the instruments by which the higher development of manhood was to be attained. They sought to develop righteousness by institutions; but Paul says that no race of people ever did or ever will, merely by institutions, develop the highest form of character. This must be done by following a living example under a heroic inspiration.

Christ understood to do that which the whole law aimed to do, but which through the weakness of the flesh it could not do. He came making virtue luminous, and interpreting to mankind so much of the divine disposition as can possibly be shown in the human flesh, by making possible to men that which a man longs, prays, yearns, sighs to be, and then helping them to come to it—namely, to "a perfect man"; to "the measure of the stature of the fulness of Christ." But this Jewish people set the example, by their religion, which led men to seek manhood as the chief thing under all circumstances—a larger, broader, nobler, diviner manhood than ever the Gentiles dreamed of.

The moral sense of mankind, the vivid conception of right and wrong among men, sprang from the training of the Jews. Hunger and thirst after righteousness has been characteristic of the Jew from an early age; and we have derived an impulse in that direction from his writings and from his example. The Greek gave to the world æsthetic gifts. Whatever was exquisite in beauty, whatever was fine in symmetry, whatever was rare in proportion, whatever was harmonious in art, the Greek longed for, but he never longed for the good. The Jew was deficient in the perception of the beautiful as it was developed in matter; but his soul was all aflame with a conception of the beautiful as it was developed in the mind; and he sought to create in man inwardly by the spirit that which the Greeks sought to create in him outwardly by the flesh.

> "As the heart panteth after the water brooks, so panteth my soul after thee, O God."

In all the literature of the globe you cannot find another such aspiration; and this is but one of ten thousand of the breathings of Jewish mind, of its yearning after the divine.

The moral literature, too, which has come from this people has been a treasure to the world. The human race has fed on Homer, on Plato, on Aristotle, on Seneca, on Cicero, and in the far Orient on one or two notable authors; but nowhere has there been such food for the inner man as in the wisdom of Solomon, in the lyrics of David

Digitized by Google

and his school, and in the cry of those great solitary statesmen, the Hebrew prophets, who were the masters of statesmanship in the age in which they lived.

But to us and to all Christendom the Hebrew should be held sacred for that gift without name and without price, our Lord and Saviour Jesus Christ. "Of whom as concerning the flesh Christ came" is a sentence that ought to make the Israelites sacred to us from association and from history, if from nothing else. The ideal man of the ages was Jesus Christ. The likeness of so much of the divine nature as can dwell in human flesh was Jesus Christ. The grandest interpreter of the Old Testament Scripture was Jesus Christ. The Sermon on the Mount is but an epitome of the great truths which had been wrought out in the experience and observation of the thousands of years of God's people preceding. Jesus Christ gathered them together and brought them as grain in a granary into the Sermon on the Mount; but they grew in a thousand fields dispersed through the ages. To be sure, he made them more noble by insphering them in a spiritual light, and showing what their outcome was, and was to be; but they were the Old Testament economies; and the Sermon on the Mount, into which they were gathered, comes to us not simply from Jesus Christ, but from his ancestors throughout all the period of the Jewish commonwealth.

But if one turns from moral functions to secular, it may be said that no people ever taught the world such a lesson of endurance, of indestructible manhood, under every conceivable oppression and wrong, as the Jews have. No abuse that can be heaped upon man has been spared from the head of this persecuted people. From the days of the Roman emperors they have been objects of cruelty in every part of the civilized world. They have everywhere been denied citizenship. Everywhere they have been denied not equal rights, but the commonest rights of humanity. They have been obliged to clothe themselves so that their very garments were a badge of contempt. They have been shut up in certain territories. They have been fleeced, cheated, persecuted with the cruelest instruments of wrong by those who sought to wrest from them their supposed riches. They have been emptied out of countries where they had taken up their abode. For instance, from Spain seventy thousand families were driven suddenly into exile, not more than one-fifth of them surviving. That cruel exodus was repeated time and time again in various nations, from hundred years to hundred years, under the oppressions of superstitious peoples. Did a plague

Digitized by Google

break out in Roumania? The Jews had poisoned the people, and a mob wreaked vengeance upon their households. Was there black death in Germany? The whole country was in cruel riot to avenge their sufferings on the persecuted Jews.

But this remarkable race, though fined, robbed, treated with the utmost injustice and cruelty, and kicked out from their abiding place again and again, they could not be destroyed. Hope sprung immortal in their soul. With tenacity, with toughness, with an ineradicable courage, with a persistence in their own faith, and with a trust in their own national stock, they have marched through I know not how many generations of persecution. The legend of "The Wandering Jew" is true—not of any one person, but of a people. It was the nation of the Jews that was the "Wandering Jew;" and all that has ever been dreamed by poets, or invented by the imagination of the miseries of the "Wandering Jew," has been fulfilled more than fourfold upon the head of this great and wonderful race. They have never sat down in discouragement, but have repaired again and again and again their wasted fortunes, and erected schools and synagogues, and amassed property, and served the State, and wrought for manhood. It has been the very genius of the Hebrew people to work for the welfare of mankind by working for their own welfare. All their struggles for existence, and all their conflicts for equal rights, have done much to produce that spirit of toleration which is found throughout the civilized nations of the globe. They fought the battle of liberty in fighting for their own right to live. The conflict in England by which the disfranchised Jews were at last permitted to have a name, and to have citizenship, and the rights of a citizen under the Government, was one of the most enlightening and strengthening of all the moral movements in your time and in mine. And that which took place in England took place in Germany, in Holland, in Spain, in Portugal, in France, in Switzerland, in Hungary, and Austria generally. The Jews, everywhere persecuted, everywhere bruised and crushed in the root, everywhere disbranched, everywhere defoliated, everywhere robbed of their precious fruit, have sprung to life again like the mulberry-tree, which is fed upon and plucked by the silk-weaving worm, but which, though stripped of one crop of leaves, produces another and another. This extraordinary people have set an example to humanity of indomitable courage in the endurance of whatever men can put upon them and yet living and thriving. If ever a race was heroic this race has been.

In its long and dreary way the indomitable spirit of this great

Digitized by Google

people has not flinched. They have held fast to their faith. When for the sake of saving themselves they were outwardly obliged to conform to a cruel reigning Christianity, interiorly, in the church, in the sanctuary of their own households, they were faithful to the religion of their fathers. And, not content with simply their own advancement, they have in almost every age and in almost every country added to the common stock of knowledge and civilization, and that under all the unfavorable conditions of which I have spoken. The Jewish philosophers have stood second to none. The Jewish statesmen have been among the most eminent in the world. Jewish teachers, and scholars, and literary men, and scientists, and artists have ranked with the ablest in Europe, and they do to-day. It will not do to say that they are the genius of intelligence and administration in Europe; but I venture to say they are second to no others in these respects. In music, in painting, in histrionic art, in finance, and in generalship, the Hebrews are equal to any among the most favored, whether in Europe or in America. Considering their opportunities, they are certainly giving more genius to statesmanship and administration and finance than any other people.

What have they, then, of which they need be ashamed, in a Christian republic where all men are declared to free and equal? Of what has this oriental nation to be ashamed in a country where Christianity has breathed a spirit of manhood? Is it that they are excessively industrious? Let the Yankee cast the first stone. Is it that they are inordinately keen in bargaining? Have they ever stolen ten millions of dollars at a pinch from a city? Are our courts bailing out Jews, or compromising with Jews? Are there Jews lying in our jails, and waiting for mercy, and dispossessing themselves slowly of the enormous wealth which they have stolen? You cannot find one criminal Jew in the whole catalogue. It is said that the Jews are crafty and cunning, and sometimes dishonest, in their dealings. Ah! what a phenomenon dishonesty must be in New York! Do they not pay their debts when it is inconvenient? Hear it, O ye Yankees! Was there ever any such thing known on the face of the earth before? Is it true that they live on that which you throw away? What a miscreant a man must be that is so closely economical! Is it true that they can make money where you go to bankruptcy? Shame on you! —not on them. Is it true that they have among them many who are untrustworthy? I suppose they must be the only people on God's earth any portion of whom are not trustworthy! Now I suppose there are Jews that are sometimes tempted of the devil; I suppose there are crafty men among the Jews; but I believe that for

Digitized by Google

their numbers there are fewer such men among them than among us, and that of men of high and honorable dealing with enormous interests at stake, of trustworthy men in the administration of affairs, they have more in proportion to their numbers than our own or any other race-stock, in this or any other land.

If, then, you look upon your genius, upon their antiquity, upon their early and continuing services, upon the legacy which they have given to the gentile world, upon their fidelity to their faith, upon their heroism, upon their industry, upon their enterprise, and upon their substantial integrity, they are of all people under the sun the last that should be insulted, either by retail or by wholesale. And if in all the world you had sought for a place in which to base an insult for mere race you could not have found another where it would have been so disreputable as in America, where the race spirit is opposed to our fundamental interpretation of religion not only, but of morality and of civic economy. But of all places in America where society attempts to keep its garments free from contract with the vulgar people, think of a hotel; and of all hotels a thousand-room hotel in Saratoga! Listen, O ye astonished people; where for fifty years North and South and East and West have come together, and been instructed, sometimes by ministers and sometimes by Morrisseys, and where every form of pleasurable vice, every sort of amusement, everything that would draw custom, has been common—there, in Saratoga, the Corinth of America, in a hotel designed to accommodate two thousand people, it seems society is so developed that it will not consent to go unless everybody that comes is fit to associate with men who made their money yesterday, or a few years ago, selling codfish! What is society in America? It is a disposition to be independent. The power of a man to take care of himself and his family by his own wit and industry—that makes a man respectable in so far as economics is concerned; and it is not in good taste for a man that inherits all his money, and does not earn a dollar himself, to reproach men who have not a dollar that they did not earn themselves. Of all people in creation the Hebrews least deserve the ban, the finger of scorn, the ostracism, of polite society. The trouble is, men have not been to school enough to learn the decency which belongs to the instruction of the Jews, to their institutions, and to their fundamental ideas of manhood and religion.

Are these people aiding or are they quenching civilization in our land? Are they bearing their part in the advance of knowledge in America? Are they educating their children? Are they publishing books and newspapers? Are they opening synagogues? Are they the

Digitized by Google

corrupters of morality? Is it in the Jewish family that the monstrous spawn is bred that degrades Christian households? It was left for Christian reformers to unloose the bands and throw open the door to every foul solicitation and every base temptation that plays about every household in the land. Are the Jews remiss in rearing their children in those elements of education and training which go to make a character distinguished for virtue, integrity and manhood?

Are they in our poor-houses? In which? Are they in our jails? Where? Are they in our reformatories? Point them out. Do their women defile our streets? You cannot find another people in America among whom the social virtues are more rigorously taught and observed than among the Israelites. Exceptions there are, but their characteristics are such as I have represented them to be. They are a temperate people, and we are a drunken people. They are a virtuous people, and we largely tend to be a lascivious people. They are a people excessively careful of their children, and there is a great laxity among us in the education of the household. We may well take lessons of them. They were the schoolmasters of our fathers, and we may well go to school to the same masters.

They are becoming land-owners in America, by reason of the liberty and toleration which reign here; and as land-owners those very peculiarities which made them offensive at other times are dropping away from them. There can be no question that the Jewish race stock, if it be suffered in the largest spirit of true Christianity to have its way, will merge with the American stock. During all the two thousand years in which the Jews have been wanderers on the globe, persecuted and despised, there has been no inducement for them to invest their money in landed estates, and their property has been of a movable kind; but they are now buying land in America; and I tell you the land that a people stand on forms them more than they form the land by their agriculture; and more among us than anywhere else they become citizens.

Let me say, in closing, that our brethren and fellow-citizens, the Jews, should not suffer themselves to be too much exercised by the petty slights or even public insults that are heaped upon them. A hero may be annoyed by a mosquito; but to put on his whole armor and call on all his followers to join him in making war on an insect would be beneath his dignity; and I think that for our friends, the Jews, to notice in any special manner this indignity which they have received will be to place too much importance upon it. I trust, therefore, that there will be no public assemblies called, no resolu-

Digitized by Google

tions passed, no more unfortunate letters written, no recriminations, no personalities. We are fed to death with such things as these, until the people have come to have almost a butcher's appetite. So let us banish, and let us exhort those whom we are proud to call fellow-citizens to banish wrath; and may they recognize that their position, their honors, all things that are sacred to them, are, in this country, such as they shall themselves determine to be. May they understand that under this government there is no place to which they may aspire—no sphere of finance, no walk in literature, no avenue to honor, no field of art or science—which is shut to them. The heaven above their head is not more free to every one of them than all the ways of man in this land. Let them be composed, and not be disturbed by injuries which are but the faintest echoes of the wrongs which were inflicted on their fathers through unnumbered generations. If their fathers, when the foot of tyranny was placed upon their necks, when they were treated to the flame and the cord and the axe, when they tasted the luxury of the dungeon, when they were pelted with all manner of obloquy, when they were driven hither and thither and were wanderers up and down the earth, in patience possessed themselves, and maintained their economy, their institutions and their genius, I am sure their descendants will be able, under this slight breath, this white frost, this momentary flash of insult, to maintain their genius, their households, their social customs, their citizenship and the honors which their fathers achieved, and of which they are showing themselves not to be unworthy in this nation and in our time.

Digitized by Google

Open Letters

UNITE OR DIE.

A Plea and a Plan for the Consolidation of Jewish Orders.

"What shall I do to be saved?"

This question, which has so large a significance to our Christian friends, addresses itself with new force and in a more material sense to each of the Jewish Orders. It cannot be answered by evasion, nor by closing our eyes to facts; not by beautifully rounded sentences in official reports, nor even by lustily blowing the trumpet of our own benevolence and liberality. Neither can it be settled by establishing new charitable institutions in the four quarters of the land, and imposing with all the unction of Statehood new poor-laws and poor-taxes.

Nothing but experience, cold arithmetic and a single-minded purpose to have a Jewish Order that stands for Jewish needs, free from flummery, can furnish the answer.

I. What says experience?

Plainly this: B'nē B'rīth founded by sincere men more than two score years ago for the purpose of uniting the Jewish immigrants who then flocked to our shores, and of welding them into one fraternal and self-dependent body, capable of improvement and maintenance within, of succor and protection without, grew in numbers and healthful influence so long as it remained devoted to its self-appointed mission. B'nē B'rīth, in the very line of its life work the protection of widows and orphans, introducing a modified life insurance feature, still grew, while there remained a spark of enthusiasm for its primal cause in the hearts of those who chose to join its ranks. But with this disturbing element, the cheapness of the widow's thousand dollars, the Order found imitators which announced loudly their zeal for Judaism, benevolence, harmony, truth, love, justice, in eloquent preambles, bombastic addresses, pompous titles, honorable (if unprofitable) offices, but always and before all, a *cheap thousand dollars*. So they impaired the usefulness of the mother Order by dividing the efforts of American Israelites exactly where they should be united, whether for charity or for action to rescue our persecuted brethren in other lands, or for the establishment of the Jewish name and fame in the United States, or

Digitized by Google

for the widow's protecting endowment. Thus the time came when, natural growth being checked, these Orders stood face to face in competition for membership and survival. Thousands of our coreligionists sought to pass all their secret portals with little other motive than the cheap thousand.

In many smaller towns, where the Jewish population numbers less than fifty heads of families, three and sometimes four Orders are represented. Outside of the long hours that our people almost invariably devote to business, how much leisure is there left for one who submits to the yoke of the Covenant, and who is bound by the Iron Band, who proclaims himself an Independent and withal an Improved Free Son, even though he has not yet acknowledged the paternity of Benjamin, and still denies Father Abraham, how much time is there left for such a one to learn that he is also a man and a citizen? How many hours in the year can he devote to those organizations for charity and benevolence all around him, that admit all men without regard to creed? The end of it all is to make for the Jew, by his own free will, a new Ghetto. He must, from the very force of circumstances, if he interests himself at all in the affairs of his fraternities, become more exclusive and clannish than any of his fellowmen around him. From every standpoint, experience answers that in a multitude of Orders there is chaos, and death for all of them. To be saved each must unite with all.

II. What answer comes from arithmetic? In science and in numbers there is no sentiment. The cheap thousand dollars cost a larger percentage in expenses of running lodges, subordinate, grand and constitutional; in traveling to and fro by representatives and officers in hotel bills and etceteras, than any similar insurance, in what are now called old line companies. But not to speak of this, the census informs us that there are not enough of us in the country to support more than one Order. We are not numerous enough to afford a division into camps. Moreover, with life insurance as a banner piece, the Orders must compete, even in this limited public, not only with another, nor only with regularly incorporated companies of impregnable strength, but also with many similar societies outside of the pale which afford better advantages for the time being.

As our young men fail to be electrified by the jingle of a dollar, and a phrase, none of our Orders continue to grow in numbers. Therefore the death-rate in them shall increase, and reserve funds, notwithstanding they are profusely prescribed by sapient doctors,

Digitized by Google

shall be a vexation of spirit, fit only to give the patient strength to build the monument to his disappointed hopes higher.

Arithmetic declares that unless union and order come out of this chaos, the day will not long be deferred when B'nē B'rīth and all its sisters shall have no assets but broken promises, and no place in history except in dust covered volumes of the once sprightly MENORAH stored away on shelves by second hand booksellers.

Arithmetic and the law of natural increase in population instructs us on the other hand that there is room for one Order to perform duties properly Jewish. After concentration and unification, we shall, so long as Judaism remains a living force, find young men ready to unite in the cause with enthusiasm and out of a sense of duty.

III. What answer do Jewish needs make? In the large cities of our land we may point with pride to many institutions of learning and beneficence, to societies that assist the immigrant and co-operate with the Alliance Universelle to better the condition in distant zones for Israel, and so for all men. We see their arms, though without military force, gaining triumphs worthy of this century in frigid Russia, temperate Roumania, torrid Africa, and the islands of the sea. How much of this work is done or furthered by the united action of the Israelites of America? A chosen few from amid the multitudes inspire and execute it. The masses abstain—and for an all sufficient reason There is no medium to connect them to one another in this field. But little assistance now comes from the Orders. Once B'nē B'rīth efficiently did battle here, and even to-day there is no means at hand that can be made so effective to combine the philanthropists and workers of our metropolitan cities with the sympathetic thousands whose efforts need nothing but organization throughout the towns, villages and hamlets of the land. A single order thus were like a speaking trumpet that carries the voice of distress strongly and distinctly to the most distant of places. Now, every Order's business is no Order's business, and except spasmodically (nor do we undervalue the occasional responses) there is no result worthy of the name.

IV. What are the serious impediments in the way of consolidation? First, life insurance; secondly, incompatibility between the different classes making up the various Orders. First, says one objecting brother, "It is impossible to consolidate the other Orders with B'nē B'rīth because, though it is nominally a single organization, it is, in fact, divided into as many life insurance companies as there

Digitized by Google

are districts." True, as the matter now stands, but then it is only necessary to consolidate B'nē B'rīth endowment to meet the objection.

But says he: "There can be no consolidation between districts, some of which have accumulated a considerable fund, others none at all, some of which promise one thousand dollars on death, others two thousand."

Even where the largest fund exists the provision is grossly inadequate, and little better than nothing. Nevertheless it is a simple matter to allow the more fortunate districts the benefit of their foresight and their money, as we shall presently show.

"It is impossible to negotiate with the other Orders successfully for they will constantly make new demands or impose new conditions to which B'nē B'rīth cannot submit,—so nothing can result except loss of time and temper."

True enough, if there is no other way open but negotiation, but we need not negotiate for consolidation. The demand for it comes from all sides. Let B'nē B'rīth but adopt a wise law *permitting* consolidation with it, and general opinion will do the rest.

Where charities have come into existence by a necessity for them, this necessity will after consolidation continue them; but where they are only duplicates of institutions, they too should be merged into one another. All this is matter of easily settled detail.

Secondly: The objection, the incompatibility between the classes for which the Orders draw their membership, were unworthy of notice but for the fact that it comes from otherwise well-meaning sources.

"I will not associate with half civilized people, like those who make up in great part one of the Order," says a brother B. B. "They are 'ein unkultivirtes Volk', a 'hard lot.' I cannot call them brothers."

But we Jews as a class are still held to be a hard lot by many people; no wonder that some of us thoughtlessly keep up the Hep-cry. Even though we may object to calling the ignorant, superstitious, bearded and unkempt refugee a brother in our Order, he is still in spite of all a brother according to God's order, a brother by descent as direct and pure blooded as any from patriarchal ancestors; a brother in the covenant of blood and persecution and suffering. Upon his body he carries the scar of physical affliction (which we, more fortunate, have escaped) because he is our brother. No wonder that oppression and fetters which cramped the physical stature of

Digitized by Google

the man, have deeply sunk into his mind and left him spiritually contracted and uncouth.

Let us be the broader. The very preamble of B'nē B'rīth commands that we "rescue those who have become victims of misfortune, adversity and persecution," that we 'dispel the shadows of ignorance, bigotry and race hatred by the spirit of knowledge, enlightment and education " It is time to incarnate these phrases. The Orders pretend to be educational; let them consolidate and become so in fact.

* * * * * * *

For actual consolidation there have not yet been many plans submitted, perhaps none except the one to be found on page 93 of the report of the proceedings in the General Convention of B'nē B'rīth held in New York in March, 1885. The hurry and the scurry of that Convention made it impossible to consider the subject, but the plan then suggested is now again advanced for examination, for criticism and more than all, as a contribution sincerely offered to the achievement of union.

THE PROPOSED PLAN.

1. The Constitution Grand Lodge of B'nē B'rīth shall at each session elect Endowment Commissioners one from each District, who together with the Executive Committee shall constitute an Endowment Commission of the Order.

2. The Endowment Commission shall obtain a charter under the statutes of the State most favorably to the purposes of this Order.

3. To each member of the Order the Endowment Commision shall issue a policy for the sum of one thousand dollars in consideration of———dollars to be remitted to the Endowment Commission quarterly to, wit in, January, April, July and October by each member through his Lodge.

4. Failure to make these payments to his Lodge, suspension or expulsion from the Lodge, shall forfeit the policy; provided that rules may be prescribed by the Commission under which a brother under the age of forty-five in good health may be reinstated and receive another policy.

(Here all the details of the Bush Endowment Law may be inserted.)

5. In a District where a central reserve endowment fund now exists, the dues upon policies from the membership of the District shall be paid to the Endowment Commission out of the central fund

Digitized by Google

until it is exhausted and members' dues upon their policies shall meanwhile be retained by the Lodges.

6. It shall be the privilege of any Jewish Order *now in existence* to consolidate with the B'nē B'rīth.

7. Whenever any Jewish Order now in existence through its supreme legislative body declares its purpose to consolidate with B'nē B'rīth, upon certificates received from the authorities of the Consolidating Order together with a list of its membership, policies of insurance for the sum of one thousand dollars shall be issued to the members of the Consolidating Order upon the same conditions as those issued to B'nē B'rīth.

8. Any endowment reserve fund held by the Consolidating Order or by any of its districts shall forthwith be paid into the treasury of the Endowment Commission established under this law.

9 Lodges of the Consolidating Order shall be re-instituted as B'nē B'rīth Lodges, but it shall be the privilege of any Lodge to combine with any B'nē B'rīth Lodge under such regulations as may be agreed upon between the Lodges immediately concerned.

10. No member of B'nē B'rīth shall, under pain of expulsion establish or assist in establishing any Jewish Order or ally himself with any that may hereafter be established; but this section shall not apply to any Order now in existence.

SELIGMAN J. STRAUSS.

KU KLUX OUTRAGES IN LOUISIANA.

To the Editor of the MENORAH:

DEAR SIR and BRO.—The following appeared in the Associated Press dispatches headed "Louisiana Outrages—Jewish Merchants in an interior Parish warned to leave under penalty of death."

NEW ORLEANS, LA., March 21.

The outrages against Jewish merchants broke out again last week. but are not meeting with the same favor and success as the Witkoski case of last fall. Two of the leading merchants of Avoyelles are Messrs. Kahn of Evergreen, and Geli Bauer of Cottonport, both Jews. They were doing a fine business. Business jealousy, coupled probably with some of that anti-Semitic feelings which so often shows itself in rural sections, moved a number of wild young men to seek to drive them from the parish. The anti-Semites rode up to the Kahn store and riddled it and the surrounding fence with bullets. Next day Kahn and Bauer were served with notices calling attention to what the mob had done, and warning them to leave the parish at once if they wished to save their lives. The motive of the rioters was well shown by their proclamation, posted in a number of public places, declaring that the people of Avoyelles (as they styled themselves) wanted no more Jews among them, and, therefore, advised all Jews to leave the parish

Digitized by Google

by April under the penalty of death. Much to the disgust of the "Regulators," however, the matter has been brought to the attention of the Governor, and he has responded by offering a large reward for the arrest and conviction of all those concerned in the affair. The State's Attorney is preparing a vigorous campaign, and a large number of arrests will soon be made.

This must be regarded as an affront to the Jews as a race, and commands at our hands prompt and vigorous action; and feeling assured that I would have the support of the Executive Committee, and of every Ben Brith, I wired the worthy 2d Vice-President of District No. 7, Gabe Kahn, Esq., at New Orleans, to urge upon our co-religionists and as an officer of District No. 7, to take active steps towards punishing the offenders. If need be, competent persons should be employed to get up the evidence and the best legal talent should be employed to assist in the prosecution. That the commendable action of the Governor and State's Attorney in the premises should be supplemented by ourselves, maintaining our rights and manhood. And I have no doubt he will exert himself and receive strong support from able and competent resident members of our Order and Faith.

Leo N. Levi, Esq., of Galveston, addressed him to the same effect, assuring him on behalf of our co-religionists at Galveston, with whom he had conferred, that they would contribute liberally towards raising funds necessary for the purpose; and I apprehend there would be no difficulty in raising any sum for the purpose of punishing an affront common to us all; and it is essential that such outrages be met vigorously and effectively at the outset.

Knowing that Bro. J. Bien, President of the Executive Committee is absent on account of his health, I address you with an account of same, and of the steps being taken in the premises, asking that you bring it to his notice and that of the Secretary of the Executive Committee.

You who have gone through so much of this unjust and shameful persecution of our race, and have contributed so much by your indefatigable efforts to overcome and suppress, can know how we Americans feel over such perpetrations in this free and enlightened country, so that any further comments on my part are entirely unnecessary. With kind regards, I am

Yours sincerely and Fraternally,

G. A. LEVI,

President D. G. L. No. 7.

[We have received the foregoing letter just as we go to press, too late for comment.]

Digitized by Google

THE B'NE B'RITH OF DISTRICT NO. III.

To the Editor of the MENORAH:

District Grand Lodge No. 3, I. O. B'nē B'rīth, at its session in January, 1886, made the mistake of amending its laws regarding stated meetings, and decided to hold biennial instead of annual sessions; consequently this year there was no meeting of the Grand Lodge, though one was sadly needed in consequence of the unexpected deficiency in the assessments for Endowment purposes under the law which went into operation on the the first day of April, 1886, and cannot be changed until the biennial session of January, 1888. This new law was intended to provide for a sinking fund. A reluctant support was given to it by many members, and only the pressure caused by the action of the recent convention of the Order, in dictating certain provisions wherever an Endowment law existed, ensured its passage, and yet scarcely four months' trial had passed before it became evident that the assessment of $16.20 would be inadequate to meet the liabilities arising from deaths.

The Secretary of the District, in accordance with the law, has issued a detailed statement of all the receipts and expenditures during the year 1886, and of the work of the Order. There were forty-seven deaths, seven of which occurred between January 1st and March 31st, the Endowments for which were paid under the old law, the members contributing 35 cents per each death, During the nine months between between April 1st and December 31st there were forty deaths. The Endowment Commissioners received within that period, under the new law quoted in my last communication: $35,133.57

From surplus transferred and interest 2,888.17

Total $38,021.74

Out of this fund thirty-four deaths were paid, the other six not being then due; but which have been since paid from the balance $4,021.84 and the January Assessments. Referring to this state of affairs, the Secretary, in his report, says:

"It has been demonstrated, beyond any doubt whatever, and the figures and facts we present indisputably prove the assertion, that the present rate of assessment for endowment purposes is far from being sufficient to pay the deaths that must inevitably occur; much less to create a surplus, as contemplated and expected when the law was framed only one year ago.

The existing condition of affairs became evident to the General Committee and the W. and O. Endowment Board several months back, and a proposition to call a special meeting of the District Grand Lodge in January,

Digitized by Google

1887, was under serious consideration; but it was finally decided, at a joint meeting of the two bodies, that it would be inexpedient to convene the Grand Lodge, while a hope remained to bridge over the difficulty until the next biennial session. A special meeting of the Grand Lodge was believed to be against the best interests of the Order; no amendment to existing laws could be adopted at such a meeting, and it was even doubtful whether it would be a legal step, unless the Board of Commissioners of the W. and O. Endowment Fund should declare itself unable to meet its obligations. The General Committee did then, and do still, indulge the hope, that a more favorable condition of affairs will prevail during the current year, and that all demands will be promptly met until the next regular session of the Grand Lodge, when relief can be sought in legislation That legislation must, in a great degree, be controlled by one fact above alluded to: that more than one eighth of our membership have already overstepped the boundary of three-score years, and that ere long most of these bretheren must rest in their eternal sleep. Besides, nature's teachings and every day's experience convince us, that not alone do the aged pass away, but the great death-roll embraces "the youth in life's green spring, as well as he who goes in the full weight of years."

In the meantime it is important that the brethren should give prompt and thoughtful consideration to the present state of the Order and should look seriously at the facts presented herewith. They should endeavor to formulate such measures as will relieve our organization from its existing embarrassment and disquietude, assure its permanence and place safeguards around its future Our brethren must prepare themselves for an increased taxation such as approximates the sum usually paid for life insurance in first-class institutions, and endeavor to repair in part, if possible, the errors of judgment that have defeated past efforts to secure a surplus fund, at which it is useless now to repine or offer censure. But the most important factor in improving our present condition is a strong and unceasing effort to increase the membership of our lodges, and to the accomplishment of this end every energy should be directed without delay. Young men should be induced to join the Order, and high rates for initiation fees, which have often deterred many from applying, should be repealed wherever they exist."

Our excellent friend, Bro. Isidor Bush, in the March number of THE MENORAH, kindly notices my last article and suggests a remedy for the present position of the Endowment question in District No. 3, which no doubt will receive that attention which advice from so distinguished a source deservedly merits. It may assist those who have been struggling for years to convince members of the Grand Lodge of their errors of judgment, and to bring soundness into the system.

The advocates for a special meeting of the Grand Lodge to consider the condition of the Endowment Fund are still agitating the subject, but *cui bono*? "Consider!" Dear innocent brethren, don't you know if anything is to be *considered*, the Grand Lodge is not the place, judging from past experience. With the exception of a few, the members come here to *vote*, not to deliberate. They are firm believers in home instructions. Besides, no alterations or additions to existing laws can be made at such a meeting, because the consti-

Digitized by Google

tution of the Grand Lodge provides especially that such can only be made at a *stated* meeting. All that a special meeting could do might be to provide for an assessment to cover an ascertained and positive deficiency in meeting the obligations of the Grand Lodge until its next stated meeting, and nothing more. The advocates for a special meeting are greatly mistaken in supposing they can establish a nucleus for a reserve fund at an extra session.

District No. 3 comprises thirty-nine lodges situated in the States of Pennsylvania, New Jersey and West Virginia, and during the year of 1886 the gains and losses have been as follows: Initiations 105; Admissions 13; Reinstatements 17; Suspensions 115; Withdrawals 27; Deaths 47. This leaves a total membership at the close of the year of 2843, being a net loss of 64 members since December 31st, 1885.

The average age of decedents was 59½ years. They were distributed as follows:

	Lodges.	Members.	Deaths.	Av. Age
Philadelphia	11	1412	33	64 3-8
Pennsylvania.	19	880	11	50
New Jersey, ...	8	500	3	42
West Virginia, ...	1	51	—	—
	39	2843	47	

One new lodge was instituted on March 28th, 1886, at Allentown, Pa., numbering twenty members. The aggregate amount of Lodge funds in the District is $74,142.82, which is a decrease of $1,956 since December, 1885.

With the above plain statement of facts I lay down my pen.

Fraternally,

ALFRED T. JONES.

HAVE REGALIA BEEN ABOLISHED?

Editor of the MENORAH:

A controversy has arisen in our District No. 2 on the Regalia question. Standard Lodge No. 215 of this city resolved: "That inasmuch as the lately revised Ritual of the Order contains no

Digitized by Google

directions for wearing regalia, nor is any allusion to be found therein referring to them, this lodge considers them abolished and will not wear them in the future."

The purport of this resolution was sent to the District Secretary and was by him submitted to the General Committee at its first meeting thereafter, and the Secretary was instructed to notify Standard Lodge that "This Committee having no knowledge of the abolishment of the regalia considers the action of Standard Lodge wrong and requests the lodge to continue the use of the regalia as heretofore." Standard Lodge refused to comply with the request of the General Committee, and at the last installation of officers the Grand Lodge officers declined to instal the officers of the lodge unless the regalia were worn, and after some controversy the lodge consented to continue the use of the regalia until such times as the question could be submitted to the District Grand Lodge for its determination. Meanwhile, however, Standard Lodge took upon itself to ask the Secretary of the Executive Committee for his views on the question and the Secretary replied that the regalia were no longer a part of the Order, they had been discontinued twenty years ago.

Our District Grand Lodge will hold its next annual meeting on May 15th next, and as this matter will, I fear, be a vexed and troublesome question at the meeting, I would be glad to have through your columns, in time for our meeting, a definite reply to the question whether the regalia have been legally abolished from our Order, and if so when and where. It will not be sufficient to say that the lodges have discontinued their use and thus they have ceased to be a part of our service; the use of the regalia was an enactment of the Constitution Grand Lodge and thus could not be legally discontinued or abolished save and except by the act of the power which provided for their use and if such has been done I wish to know when and where.

Fraternally,

A. A.

CINCINNATI, March 17, 1887.

Digitized by Google

Literature, Art and Miscellany

Emma Lazarus contributes a prose poem to the March *Century*, entitled "By the Waters of Babylon," from which we give the following extract.

"Vast oceanic movements, the flux and reflux of unmeasurable tides, oversweep our continent.

From the fair Caucasian steppes, from the squalid ghettos of Europe

From Odessa and Bucharest. from Keiff and Ekaterinoslav.

Hark to the cries of the exiles of Babylon, the voice of Rachel mourning for her children. of Israel lamenting for Zion.

And lo! like a turbid stream. the long pent flood bursts the dykes of oppression and rushes hitherward.

Unto her ample bre st. the generous mother of nations welcome them.

The herdsman of Canaan and seed of Jerusalem's royal shepherd renew their youth amid the pastoral plains of Texas and the golden valleys of the Sierras."

We are glad to have Miss Lazarus as an eloquent advocate of the oppressed, welcoming the exiles to our shores.

Speaking of three marbles by Mr. Ezekiel. shown at Rome, an Italian paper says: "Ezekiel has demonstrated with these works that he is an eclectic artist, and in each one of them shows his rare ability." *Captain Fracassa* says of his "Judith:" "A work without doubt, stupendous and the most vigorous in contemporary art."

The N. Y. Times states that letters having been written from Portland, Oregon, to ascertain the prices charged by various artists for oil portraits, Mr. Daniel Huntington has answered that his price for a three-quarter length is $1,750; Mr. Eastman Johnson gives $2,000 as his price; Mr. Douglas Volk and Mr. Charles Noel Flagg asks $1,000 for a half length.

Taine, in the final passage of his paper on Napoleon, published in the *Princeton Review*, says of the great Emperor: "We take him for what he is, a posthumous brother of the Dante and Michael Angelo; in the clear outlines of his vision, in the intensity, the coherency, and the onward logic of his reverie, in the profundity of his meditations, in the superhuman grandeur of his conceptions, he is, indeed, their fellow and their equal. His genius is of the same stature and the same structure; he is one of the three sovereign minds of the Italian Renaissance. Only, while the first two operate on paper and on marble, the latter operates on the living being, on the sensitive and suffering flesh of humanity."

Digitized by Google

The Chicago Times says:—Such a thing as a genuine appreciation of good art, either local or foreign, does not exist here. Measured by its wealth, there is less of it than in any other city in the United States. There is not a collection in Chicago which deserves the name. There are a couple which in point of money invested have some pretensions, but the pictures are narrow in range, confined to one school, and notable for prices paid rather than the artistic merits of the works. Here and there a timid millionaire has invested $3,000 or $4.000 in a picture, and then, frightened at the outlay, has cut it off at that point, but the majority look askance upon even so small an investment and are content to adhere to chromos and life-size photographs to match their point lace and diamonds.

George D. Maduro Peixotto, has given up his Paris atelier and taken a studio in the Sherwood Art Building corner 57th st and Broadway, New York. Among his latest finished works are portraits of Mr. and Mrs. Julius Bien, Mrs. Frances Gosling, Mrs. Levi Bamberger, etc. The portrait of the eminent President of the B'nē B'rīth which has been on exhibition for a short time at the Ohio Society Club House 236 Fifth Avenue, is pronounced a masterpiece. Mr. Peixotto since his return from Europe has painted portraits of a number of eminent people, among the rest Chancellor Dr. Eliott (recently deceased) of St. Louis, Bishop Gilmour and Thomas Burnham of Cleveland, Rev. Dr. A. P. Putnam of Boston, Rev. Father Sylvester Malone of Brooklyn, Benjamin F. Romaine of New York, etc. His portrait of Mr. Burnham will be exhibited at this season's Academy of Design.

BOOK REVIEWS.

Isaac Marcus Jost and his Friends. Heinrich Zirndorf. Bloch Publishing Co., Cincinnati. No one could have done better justice to the renowned historian and humanitarian, than does Prof. Zirndorf in his excellent work on "Jost and His Friends."

Yet in 1864, Dr. Zirndorf, an intimate friend of the historian, felt an inward command and, as he expresses it, a moral duty to present to the world a characteristic sketch of the "man of the world," whose life and deeds have been so well-known to him, and he wrote a biography of Jost in the "*Jüdisches Volksblatt.*"

Later, however, Dr. Zirndorf came to the right conclusion, that Jost and his activity would never appear to the public in all its greatness without characterizing the epoch in which the historian lived.

And this he undertook and has so admirably accomplished in the work now before us.

Jost in his library, in private conversation, with his friends; Jost—the pedagogue and champion of woman's emancipation, the

Digitized by Google

founder of the "Frauenverein" (Women society), the originator of the "Permissionists' society" and "Creizenach establishment;" Jost —the practical worker and earnest philanthropist, and, certainly foremost. Jost, the historian, is so well represented amidst a masterly touch of everything that creates epochs in the long row of historical events.

Quite natural that man, great as he may be, is but an insignificant link in the mighty social chain, and to illustrate the circle to show the whole circumference, Dr. Zirndorf frequently diverges when he mentions any of the names with whom his beloved and admired friend had come in contact.

Hence we learn from this book the general level of the intellectual status of the German-Israelites of the XIX. century; we learn of the different conflicts in religious and historical views; we pass in review the pages of modern Jewish history adorned by the prominent names of Zunz, though a bitter antagonist to Jost's theories, Grätz and Rappaport: of Jost's friends, K. Klein, editor of the "Calendar of the most useful and interesting topics to Israelites"; Isaac Blum, Dr. Ludwig Oelsner, Dr. Sigmund Stern, Dr. Jacob Auerbach, Leopold Stein, Raphael Kirchheim, Abraham Tendlau, Solomon Formstecher, author of the "Religion of the Spirit" and many others.

Notwithstanding the greatest love and admiration that Prof. Zirndorf entertains in reference to Jost he is most objective when he treats his theory of the "Genesis of Christianity." Dr. Zirndorf rebukes the theory with all his might and ability.

Space prevents us from entering into details and do justice to this admirable contribution, but we may unhesitatingly recommend it to all who are interested in the history of Judaism and in the life of those who always appeared as sparkling lights on the gloomy horizon of Jewish life.

Dr. Zirndorf ends his work with a suggestion (in which we warmly concur) that some enterprising individual or society undertake to publish a new edition of Jost's history.

Men of Dr. Jost's calibre," he says, "do not live in monumental marble, but in books and minds." Dr. Zirndorf has erred in writing this work in German which is already so rich in Hebrew literature and criticism, while our vernacular is so wretchedly poor. With the author's permission we should, however, be pleased to translate some of its salient chapters for the MENORAH.

Digitized by Google

Affairs of the Order

Ladies' Auxiliary Society of the Yonkers Home.—One of the most delightful entertainments ever given for the enjoyment of the inmates of the beautiful home at Yonkers was that held on the 13th of March.

The programme was varied and attractive in its musical and literary features, redounding highly to the accomplished ladies who participated. We must particularly mention the recitations of Mrs. A. M. Glazer and the Misses Goldman, Reissman, Klein, and the vocal and musical performances of Miss Latz, Miss Heilner and Miss Elfreda Newberger, and of Messrs. Gustave Jacobson and David Mayer. President Newberger of the District Grand Lodge, and Dr. Sigismund Waterman, President of the Home, were felicitous in their remarks, eliciting warm applause. After the exercises an ample repast, prepared by the ladies for the several hundred visiting guests, was spread in the dining hall and keenly appreciated.

The Ladies' Auxiliary Society of the Home for Aged and Infirm of District No. 1, I. O. B. B., was organized on the 29th of May, 1882, with Mrs. Joseph Loth as President; Mrs. David Wile as Vice-President; Mrs. Otto Horwitz as Treasurer; Mrs. Abram Greenhall as Secretary, and Mr. Wm. W. Hamburger as Assistant Secretary, and the first year secured a membership of 727 ladies. The society sprung from a natural desire on the part of the female relatives of members of the Order to be identified with so humane a work, and to provide extra comforts and as much cheer and sunshine as possible for the aged and infirm inmates. It is an independent organization, the expenses being borne entirely by its members. During its five years of existence it has supplied, at its own charge, bedding and linens, dry goods and wearing apparel, sewing and materials, kitchen utensils, crockery and glass ware, cutlery, etc., besides many charming festivals and entertainments. Over $7,000 have been disbursed, and the good work goes on. The present officers of the society are: Mrs. Moses Heyman, President; Mrs. David Wile, Vice-President; Mrs. Myer Hellman, Treasurer; Mr. Wm. W. Hamburger, Secretary. Among the directresses past and present we are pleased to record the names of Mesdames Fox, Herrman, Levy, Simon, Hamburger, Lewengood, Latz, Hyman, Sulzberger, Marx, Horwitz, Ullman, Nast, Loesser, Newman, Hirsch, Waterman, Lobenstein, Josephy, Emanuel, Minzesheimer, Bowman, Denzer, Rosen, Stern, Heckscher, Adler, etc. The society now numbers upwards of 1000 members, and pursues its noble philanthropic labors with enthusiasm. Mr. and Mrs. B. M. Behrens fulfil the duties of Superintendent and Matron with commendable interest and ability, exhibiting a consideration and fidelity, which has won for them general esteem. Dr. S. Waterman is now the President and

Digitized by Google

Medical Director of the Home, and Dr. Miles of Yonkers, the House Physician. There is also an able corps of consulting physicians, consisting of Drs. Jacobi, Schrady and Sands of New York, and Dr. Swift of Yonkers. We shall have occasion to speak of the Board of Governors in a future notice. Street cars (fare five cents) now run from the depot to the Home, making the transit without trouble to visitors. Branch auxiliary societies should exist in every city of the District where there is a B'nē B'rīth Lodge. As yet only one has been organized, that of Pittsfield, Mass., which deserves hearty eulogium for its devoted support. To the lady readers of the MENORAH we warmly recommend this noble work, the membership subscription is but a trifle, but the general good bestowed is incalculable. Send your names to the indefatigable Secretary, Wm. W. Hamburger, Esq., 908 Third Avenue.

Jegar Sahadutha Lodge of Boston continues to be one of the staunchest of the B'nē B'rīth Lodges of District No. 1.

On Washington's Birthday, the 22d February, it held an entertainment at the Parker Memorial Hall to which the general public were invited. The programme was of a literary and musical character and was greatly enjoyed by a refined and appreciative audience. Bro. Peixotto, of New York, was the lecturer and among the performers were Mr. J. Reuben Morse (nephew of Hon. Leopold Morse, M. C.) who gave several solos on the cornet with remarkable ability. Miss Henrietta B. Ritchie recited and Miss Mary Bergman sung, both with great excellence.

A banquet was given to Bro. Peixotto, after the lecture, at which leading members and their wives assisted. Hon. Isaac Rosnosky presided and speeches were made by Rev. Bro. Raphael Lasker, Bros. Rosnosky, Sanger, Bernstein, Fishel and others. The best of good feeling prevailed and the affair was greatly enjoyed.

Mr. Peixotto also visited and addressed the Y. M. H. Association, being introduced by Mr. Israel Cohen, the President and one of the most public-spirited citizens of "Modern Athens."

Hon. Isaac Rosnosky who is acknowledged to be one of the leading political forces in Boston, is still a young man, being only forty years of age. Coming to Boston twenty-five years ago, a poor boy, he has by the sheer force of his own genius and ability worked himself up to be a power both in political and charitable circles.

Member of the Common Council from 1878 to 1885, he has also served one term in the Massachusetts legislature. was a member of the Democratic National Convention which nominated General Hancock and the author of the resolutions in the Board of Aldermen expressive of the city's grief at the loss of the illustrious General Grant.

Mr. Rosnosky joined the B'nē B'rīth in 1869, and has held all the important offices in Jegar Sahadutha Lodge, being successively elected her representative in the Grand Lodge and a member of the

Digitized by Google

Board of Governors of the Home for Aged and Infirm at Yonkers. Handsome in person, he is courageous and generous in action, a hard worker for all good objects and a universal favorite.

Testimonials to Bros. Waterman, Fox and Sulzberger. At the late session of Grand Lodge of District No. 1, it was voted that the General Committee be empowered to present to Bro. Joseph Fox, Ex-President; Bro. Solomon Sulzberger, Ex-Treasurer; and Bro. Dr. Sigismund Waterman, Medical Director of the Home for the Aged and Infirm at Yonkers, testimonials expressive of the deep sense of appreciation of the District for the valuable services rendered by these gentlemen as officers of the Home.

The Committee, Bros. William A. Gans, Isaac Teichman and Bernard Metzger, charged with this pleasant duty, decided upon appropriate resolutions which were beautifully engrossed and elegantly set in velvet covered with glass and opening in the form of an arc. Each of these testimonals bore designs of the Home and will prove handsome parlor or library ornaments. On the evening of the 20th ult., the General Committee at their own expense arranged a fine banquet at the Cafe Logeling to which Bros. Waterman, Fox and Sulzberger were invited with their wives. A company of twenty-eight ladies and gentlemen assembled to do honor to the occasion and the banquet was a veritable "feast of reason and flow of soul." The presentation speeches were made to Bro. Ex-President Fox by Bro. President Jos. E. Newberger; to Bro. Dr. S. Waterman by Bro. Gans; and to Bro. Sulzberger by Bro. Morris Adler. Full of bright thoughts and happy sentiments, these speeches were responded to by the recipients in a no less cordial and feeling manner. Toasts and speeches followed—all brief and to the point—and the affair altogether was one of the most enjoyable. The MENORAH is happy to record these deserved tributes to men of the sterling worth and unselfish character of Dr. S. Waterman, Joseph Fox and Solomon Sulzberger. These brothers have labored with a devotion worthy of constant example to promote the higher and holier objects of the Order. Their work with that of a few other of the Governors of the Home has been such as to have promoted the flourishing condition of that noble institution, and we rejoice to observe that their unsparing and disinterested efforts have been so deservedly recognized.

Abarbanel Lodge No. 92, of New York, will celebrate its twentieth anniversary on the 3d inst.

Abarbanel Lodge was founded April 3, 1867, by Bro. B. F. Peixotto who was its first President and numbered among its charter members the following gentlemen, who have since risen to eminent positions in the legal, financial and commercial world: Judge Myer S. Isaacs, Adolph L. Sanger, Edward Lauterbach, Asher and Sig-

Digitized by Google

mund T. Meyer, Benjamin I. Hart, Judah H. Solomon, Isaac S. Isaacs, Raphael Ettinger, Arnold Tanzer, Joseph Davis, Solomon Sulzberger, etc., etc. The first lodge room, occupied by Abarbanel, was over Wallack's Theatre, corner 13th and Broadway, but recently vacated by one of the crack Masonic lodges of the city, and was gorgeously fitted up.

On the evening of the installation, the General Committee, composed at that time of the most eminent members of the District, and numbering among others Brothers Julius Bien, Dr. E. M. Friedlein, Dr. Sigismund Waterman, Dr. M. Mayer, M. Thalmessinger, Joseph Sulzberger, S. Hamburger, Dr. E. Gutman, P. W. Frank, etc., came in a body and were received with the highest honors; Bro. Adolph L. Sanger performing upon the organ an appropriate prelude. The ceremonies were of a deeply interesting character and produced a profound impression upon the new candidates. Twenty years have flown since then and many changes, deaths, and removals taken place, but still Abarbanel thrives and her coming celebration will no doubt be one of the most interesting incidents of the present revival in the Order.

Hillel Lodge No. 28 of Brooklyn is one of the progressive lodges of District No. 1. It has a membership of 185; lodge funds between 3 and $4000; owns its own burial ground and besides its annual contribution to the Home for Aged and Infirm at Yonkers, contributes to the Hebrew Orphan Asylum and the Catholic (St. Catherine's) Hospital of Brooklyn.

Its Committee on Intellectual Advancement consists of fifty young members who are constantly engaged providing literary and musical entertainments for members and their families.

The Lodge meetings are held regularly and largely attended and the best of feeling and enthusiasm prevails. To this Lodge belongs Bro. Morris Adler, 1st Vice-President of the Grand Lodge, and who was one of the founders of Hillel Lodge twenty-three years ago.

Recently the other three lodges of Brooklyn—Samuel, Eldad and Long Island—have exhibited new interest in the work of the Order and altogether the B'nē B'rīth of our sister city are alive and progressing.

The New B. B. Orphan Asylum.—The friends of the orphan asylum of District No. 5, I. O. B. B., have commenced a series of missionary meetings, intending to hold them in every part of the territory within its jurisdiction. The initial gathering was on March 2d, in the Beth Ahava Synagogue, of Richmond, Va. The meeting was called to order by the Hon. William Lovenstein, Chairman of Joint Committee of the Richmond lodges, who called Mr. F. S. Myers to the chair. Among the prominent speakers were the Hon. Simon Wolf, of Washington; the Hon. Adolph Brandt, of Atlanta, and Jacob I. Macks, of Wilmington. After listening to earnest and eloquent speeches, the subscription list was opened and resulted in a net subscription of $2,800. A committee was appointed to canvass the city of Richmond and vicinity.

Digitized by Google

Chronicles of the Day.

Max Cohen, Esq's. lecture before the Y. M. H. Association (Down Town) on the 20th, entitled "A Half Hour with American Authors" was a charming essay and pointed out to his hearers some of the best of our writers with whom he recommended intimate acquaintance.

There has existed in New York until now two separate committees of the Alliance and, though each has been composed of excellent gentlemen, their divided labors have not been fruitful. It is with pleasure therefore that we chronicle the probable early union of these bodies and the formation of a single committee which will no doubt effectively carry out the good work of aiding the Alliance in its noble and philanthropic efforts in behalf of the persecuted of foreign lands as well as in its educational efforts for the Jews of the Orient.

A very pleasant and entertaining reception was presented by the children of the Hebrew Free School, No. 2, 206 East Broadway, Sunday morning, the 20th ult., to their numerous friends. After the exercises a few remarks were made by the Vice-President, Mr. Uriah Herrmann, and by Mr. Samuel Greenbaum, in which Mr. Greenbaum made known to all that the Hebrew Free School children have donated one thousand pennies out of their penny fund towards the Aguilar Free Library, and one thousand pennies toward the Henry Ward Beecher Library, to be opened.

Rev. Maurice H. Harris, of the Harlem Temple, delivered an eloquent lecture before the Y. M. H. Association, on the 21st ult., his subject being: "Woman's Place among the Ancient Hebrews," While another lecturer in the course of this winter answered the question, "Why am I a Jew?" he would undertake to answer for the ladies, "Why am I a Jewess?' The conception of the ancient Hebrews of women was not adulation or flattery, but rather truth; not so much adoration as esteem. They kept from both extremes in the treatment of women, and thereby reached the true point; they realized woman as the centre of family life, and a true family life led to a correct human life. We must refer to literature as the only source for the social position of the women among the different nations, and to appreciate their treatment by the Hebrews, we must refer to other Oriental and ancient nations, rather than to modern times or to the nineteenth century.

"Ye shall be holy;" that national virtue was at the basis of the treatment of woman, and gives us the key to the general character of

Digitized by Google

family life. The speaker ably developed this idea, showed how by that principle chastity was the guiding star in the Jewish life; how monogamy was a rule although not law, and all the vices of the neighboring nations against the purity and chastity of female life were abhorred. He dwelt largely upon the peculiar views and institutions of other ancient nations to show, in contrast, the solitary position of the Hebrews.

Mr. Harris, after quoting from Proverbs and the prophets, showed that the Talmud had the highest conception of married life by its laws and sayings.

A benefit was given at the Roumania Opera House (this is the name of the theatre) on the Bowery, Tuesday evening, March 22d, in behalf of the First Roumanian-American congregation established in New York. An operetta in 5 acts and 10 scenes, entitled "Rashi, or the Rabbi's daughter" was enacted and all the performers were Roumanians. Several of these exhibited dramatic talent of no mean order, notably Meyer Magulesko, Max Avramovitz, Weinblatt and Mesdames Finkel and Edelstein. The libretto was in Jewish jargon and was rendered to the evident enjoyment of the audience. At the head of this new congregation are Messrs. Waldman, Sussman, Rosenthal, Schoenfeld, Bonner, etc. These are worthy men and the society, which numbers already 150 members, is deserving of support.

The Purim Masquerade Ball, given in behalf of the fund for building the new temple in Harlem, and which came off on the 12th of March, at the Lexington Avenue Opera House, was a brilliantly successful affair, yielding a very handsome sum. The several committees, under the general-in-chief, Daniel P. Hays, Esq., acquitted themselves with credit, while the ladies auxiliary committee (it is impossible to do anything without the ladies), simply crowned the festival with complete triumph. Notably Mesdames Ellison, Denzer, Stachelberg, Rotholz, Goodstein, Loucheim, Joseph, Levy, Abrahams, Lisso, etc., were untiring in their efforts. Rev. M. H. Harris is not only an eloquent preacher, but an indefatigable worker and he seconded in every way the labors of the various committees. An effort will be made to erect a new Synagogue, which is to be located at the Corner of Madison Avenue and 120th Street, by the coming fall holidays.

The retiring Presidents of the Grand Lodge, of District No. 1, are a lucky set of fellows. They not only make able officers during their term, but seem to have that happy diplomatic tact of avoiding conflicts and of winning general popularity. Bro. Julius A. Levy, the last incumbent of the executive chair, is no exception to the rule, and one night last month the members of the General Committee and a number of intimate friends took his house by storm, having, how-

Digitized by Google

ever, had the consideration to privately take Mrs. Levy into the secret and that amiable lady, indefatigable worker for the poor, and noble lieutenant of her husband, entering warmly into the conspiracy. Thus it was that, on coming home at seven in the evening, Bro. Levy found his parlors taken possession of by some thirty invaders who proceeded upon his entrance to besiege him with eloquent speeches and a handsome set of resolutions, following it up with the presentation of a magnificent gold watch and chain and a gold medal superbly engraved with a drawing of the Yonkers Home. Poor Bro. Levy, modest and retiring, as is his wont, was completely overcome, but finally found vent to express his profound acknowledgments and, like Hannibal of old, to renew his pledges of fidelity to the Order. Then it was his good wife invited the assembled company to a repast which might have served for a king. It is needless to add that a "jolly good time" was the result. What with "wine, woman (for the ladies were likewise present) and song" midnight was reached before the celebrants could be hustled out of the house, and as they departed manly voices rung out upon the stillness of the night with that glorious rabbinical hymn "for he's a jolly good fellow . . . so say we all of us."

Speaking of Jewish immigrants, a happy writer in the *Israelite* says:

Like Polyphemus in dim antiquity, so our modern Cyclops, Uncle Sam, sits at his ports, hospitably welcomes the immigrants which come to his shores from all countries of the globe, and when he has recorded their number, opens to them his broad land, for it is a "goodly and roomy land, blessed through the precious gift of heaven, through the dew, and through the precious fruits brought forth by the sun, and through the precious things of the Rocky Mountains."

And how quickly Uncle Sam can assimilate his thousands of immigrants and absorb the juices of great and little, turning all into blood for the good of his gigantic body which circulates through all the veins of his organism. Of this good proof is shown by the U. S. Treasury, to which may be applied the word of the prophet: "And full became the land of silver and gold, and there is no end to its treasures."

* * * * * * * * * *

I still have the picture before me, vividly as if I had seen it but yesterday. There they sit on their poor little bundles in Castle Garden, with pale and hollow faces, looking despairingly into the future, aliens in a strange country, whose language they do not understand, themselves coming from a land which has given them instead of a mother-tongue a *Mamme Loshen*, by means of which they can make themselves understood only among one another. What shall we do with these helpless creatures? What shall they do with themselves?

Digitized by Google

Since I put this question to myself six years have passed. I see daily how they, in spite of their hardness, gradually soften down in the organism of the state, and it is quite possible that they are destined to be the means of great strength to the country. At all events, Uncle Sam has discovered new sources of revenue in the Russian-Roumanian emigrants. They already import *Yayin-shel Pesach* from Jerusalem, *Esrogim* from Greece, *Tallessos* from Brunn and Leipsic, Hebrew books from Warsaw, and *Chazonim*, free of duty, (as on Uncle Sam's free list they are designated as worthless). As these articles all pay from twenty-five to forty-five per cent. duty, it goes forth that our co-religionists already live in a state of comparative competency.

What metamorphosis may not be revealed to my grandchildren in fifty years! This depends on circumstances, which are not accidental but rest with them, and which they must bring about. Their predecessors, I allude to the Jewish emigrants of the last fifty years who came from Germany, must serve them as examples. A transformation from peddlers to bankers is sometimes effected here in a single generation.

When Bro. Henry Duschnes, the Chairman of the Literary and Social Committee, undertakes to do anything it is not done by halves. This was abundantly proved at the celebration of Edward Everett Lodge, on the evening of Feb. 27, when a splendid entertainment was provided for the members and invited guests at Webster Hall. This new assembly room was thronged with a brilliant audience, whose frequent bursts of applause showed only too plainly how greatly the programme of the evening was enjoyed. This intellectual *menu* consisted of vocal and instrumental music, addresses and recitations, the participants being Miss Trichet, Messrs. Duschnes, Harburger, Schlesinger and Cornu, Prof. Louis Eppinger directing the orchestra. Ex-Consul Peixotto, who was to have lectured, was prevented by serious illness and telegraphed his regrets. Bro. Joseph E. Newburger, the newly elected President of the District, was the recipient of a flattering expression of the Lodge's esteem. Bro. Julius Harburger was the interpreter, and at the conclusion of his admirable speech said: "Nearly half a century has elapsed since the Order B'nē B'rīth was instituted in these United States. The population of the Republic then was some seventeen millions of people. Our fathers coming from foreign climes established this noble and charitable institution. Up to the year 1854 in District Grand Lodge No. 1, not a single name of our great American statesmen, who have left an imperishable record, was taken by the lodges of the District until the name of the Father of his Country, George Washington, was adopted. A lull then appeared, names of our great prophets, Jewish statesmen, and authors were honored, until the year 1867, a band of literary young men organized Edward Everett Lodge No. 97, naming the Lodge after one of America's foremost scholars and statesmen. The Lodge won for

Digitized by Google

itself renown and esteem; when in 1874 a young man entered its portals, and after being a member some three months, became familiarly known as 'Fighting Joe.' 'Fighting Joe' has a history. He fought himself into all the offices in quick succession, and then was elected to the Grand Lodge. I remember when I entered the Grand Lodge, Representative Joseph E. Newburger, who was the leader of a strong minority, like a young knight errant marched down the Grand Lodge aisle, and by the powers of true eloquence defended, as he thought, the rights of the widows and orphans, and of the oppressed In the name of the members of your lodge, I have the honor, Brother Newburger, of presenting to you as a testimonial of their regard and esteem, a handsome gold watch and charm. May you be the wearer of it for many years to come."

Bro Newburger feelingly responded, thanking the committee and members for the splendid token of their regard. He delivered an eloquent speech upon the aims, objects and purposes of the Order. The evening's entertainment was concluded with a ball.

Gabriel Marks was Chairman of the Reception Committee, Joseph Nussbaum, Chairman Floor Committee; Samuel Sloman, Assistant Floor Manager; Henry Duschnes, Chairman Committee of Arrangements. Among the guests were the following officers and members of the General Committee of the Grand Lodge: Morris Adler, First Vice-President; Wm. A. Gans, Isaac Teichman, S. Hamburger, David L. Walter, M. Leipziger, Sol. Sulzberger, Ex-President Julius A. Levy, Samuel L. Beekman and others.

We cull the following sketches from Mr. Marken's series of papers on "American Hebrews" which recently appeared in the *Mail and Express*.

Speaking of the legal fraternity, he says: Simon Sterne is undoubtedly one of the best read and scholarly lawyers of the present day. His success has been attained by dint of perseverance and close application, coupled with a determination to employ no questionable methods in attaining his ends. Mr. Sterne's mastery of the law was acquired in the office of Judge Sharsworth, the eminent jurist of Philadelphia. His residence in this city has been within a comparatively recent date and yet he has bounded to the front with marvellous rapidity. He has familiarized himself with the transportation question in its legal aspects and is regarded as the ablest man in this country in that department. Next to Samuel J. Tilden, Mr. Sterne was the leading spirit of the famous Committee of Seventy. Questions of municipal reform have received much of his attention, and he is the only Hebrew member of the Bar Association of this city who is a member of any committee, being a member of both those on the Judiciary and Constitutional Amendments. President Cleveland appointed Mr. Sterne a commissioner to investigate the railroad system in Europe. Among his numerous literary productions of excellence is a volume on Minority Representation.

Digitized by Google

The lawyer who is retained by many leading corporations is Edward Lauterbach, whose business has grown to such immense proportions that he has been compelled to seek assistance, and is about associating with ex-Gov. Hoadley of Ohio. Mr. Lauterbach has accomplished what has been done by few Hebrew lawyers—amassed a snug fortune and achieved great distinction in his profession. During the past two years he has successfully engineered some of the most intricate problems, most of them involving millions of dollars. But few great railway schemes are now undertaken in this city without his assistance. His familiarity with the law, combined with a high order of diplomacy, renders him at all times a formidable antagonist. In earnestness and thoroughness of work and remarkable tact in harmonizing conflicting interests Mr. Lauterbach is unsurpassed at the New York bar. Cultured and broad-minded, exceedingly agreeable in manner, popular and beloved with all classes, he is an ornament to his profession.

Jesse W. Lilienthal, has been for some years a prominent lawyer of New York and an active member of the Bar Association, in which body he has for five years been a member of the Committee on Amendment of the Law.

Ex-Judge Myer S. Isaacs, of the Marine Court, won many friends during his brief career on the bench. As a real estate lawyer he has no superior. Ex-Judge P. J. Joachimsen, who was elected to the Marine Court some years ago, is still prominent in his profession, and actively engaged in many Hebrew charitable movements. Ex-Judge Dittenhoefer, of the Marine Court, is giving his attention almost exclusively to theatrical litigation, in which he is considered an authority. Ephraim Jacobs, who has published Fisher's Digest, a revision of the English laws, and Alexander Blumensteil, who makes a specialty of bankruptcy cases, both enjoy a lucrative practice and stand high in the profession. Otto Horwitz is a self-made man and has made a very creditable reputation as a lawyer. One of the younger members of the bar is Michael H. Cardozo, who gives promise of great distinction. Alfred Steckler, the civil justice, is popular with his constituency. Despite his youth and lack of experience, he has done well and is entitled to commendation for his dignified and consistent conduct on the bench. Henry Morrison, for many years associated with Mr. Lauterbach, B. F. Einstein, Daniel P. Hays, Morris Goodhart, M. W. Platzek, president of the Young Men's Hebrew Association, and Joseph C. Levi, who is one of the best conveyancers in this city, are included among the lawyers with a wide acquaintance and a good clientage.

Adolph L. Sanger has been nominated for a judgeship, and although failing of an election, in consequence of divisions in his party, will no doubt ere long be on the bench. The people of New York, by a good majority, elected him as President of the Board of Aldermen in 1884. His career as chief of the City Fathers was marked by a rare degree of tact, intelligence and dignity. In 1876

Digitized by Google

Edwin Einstein accepted a nomination for Congress. No one dreamed that he stood a "ghost of a chance." He was nevertheless elected. Hon. Joseph Koch was elected Civil Justice, next he was sent to the State Senate, and he is now a Dock Commissioner.

Among the prominent lawyers in other cities are Judge Heydenfelt, of San Francisco, who is a recognized authority on railroad and real estate questions. No man on the Pacific coast ranks higher in these departments.

Mayor Sulzberger is one of the leaders of the Philadelphia bar.

Simon W. Rosendale, of Albany, the law partner of Judge Rufus W. Peckham, has been Recorder and Corporation Counsel for that city, and is regarded as a lawyer of very great ability. During Gov. Tilden's administration he displayed marked capacity and rendered valuable service in routing the canal thieves. In all the work in which he has been engaged he has proven himself a capable, vigorous and efficient member of his profession. He enjoys the regard of President Cleveland, with whom he is on terms of intimacy, and from this fact many persons assume that Mr. Rosendale is booked for a United States judgeship before the close of the present administration.

One of the leading spirits in all Hebrew associations is Simon Wolf, of Washington D. C., a gentleman who is usually selected to preside over the great conventions of the orders of B'nē B'rīth, Kesher Shel Barzel, Union of American Hebrew Congregations, and the like. No man in the United States has shown himself so well fitted for such duties, and but few have been more public-spirited. His humane and philanthropic efforts in behalf of oppressed Hebrews at home and abroad have made him one of the most conspicuous and respected Hebrews in this country. He has enjoyed the personal esteem of the leading men of both parties, from Lincoln to Cleveland, and at his home has taken a prominent part in all charitable, literary and social movements of the day.

Of the New York Rabbis, Mr. Markens writes: Rev. Dr. Gustav Gottheil, of the Temple Emanu-El, is a man of medium height, compactly built and inclined to corpulency. His head is large and his face which is clean shaven, indicates intelligence, frankness and good nature. He was born in Posen in 1827, pursued his theological studies in his native city and his academical course in Berlin, where he was associated with the late Dr. Holdheim, the eminent leader of reform Judaism in Germany. He presided for many years over the synagogue of British Jews in Manchester, and came to this country fifteen years ago. His popularity is not confined to the members of his own congregation, or to Hebrew circles alone. He is a genial companion, a man of liberal views, charitable, wide-awake and pushing, while his scholarly attainments are of a high order.

Rev. Dr. Alexander Kohut occupies the pulpit of the Temple Ahawath Chesed (Lovers of Mercy) on Lexington Avenue, and is

Digitized by Google

the successor of the lamented Rev. Dr. Adolph Huebsch. He is tall, angular and somewhat round-shouldered, and his face is adorned with a full black beard. He wears spectacles and would be instantly recognized by a stranger as a professional man of some note. His coming from the Old World was heralded with considerable enthusiasm because of his reputed learning and fitness abroad, and his career during his brief residence in this country has shown him to be fully up to the standard anticipated. His abilities are conceded, and his reputation as one of the most eminent rabbis in this country is everywhere acknowledged. As a Talmudic scholar he holds high rank, his pronounced learning in this direction having given him the sobriquet of "Dr. Talmud."

Rev. Dr. K. Kohler officiates at the Synagogue Beth-El (House of God). He is a son-in-law of the late distinguished Dr. David Einhorn, who occupied the same pulpit at the time of his death. Dr. Kohler is yet a young man, having just turned 40. He is of medium stature, with regular, well-defined features, iron-gray hair and wears a full beard. His reputation is that of a man of talent and one eminently fitted for the pulpit. He is known as one of the most radical reformers in this country, though compared with some of his brethren in the West he is classed as conservative.

Rev. Henry S. Jacobs, of the Synagogue B'nai Jeshurun (Sons of Jeshurun), on Madison avenue, is a tall, well-proportioned man, with a well shaped head, and wears a closely cropped full beard. He is nearly 60 years of age, and comes from Kingston, Jamaica. Thirty-three years ago he settled in Richmond, Va., where he occupied the pulpit of the Synagogue of Portuguese Jews. He subsequently accepted a call to Charleston, and then served at Augusta, Columbia and New Orleans. He is a fluent and graceful speaker, is gifted with a remarkably pleasant voice and is one of the best orators among the rabbis of this city. As a Hebrew scholar he is careful and painstaking, and he evinces a strong interest in the progress of the various Hebrew social and benevolent organizations.

Rev. H. P. Mendes, minister of the Congregation Shearith Israel (Gates of Israel), is 36 years of age, rather short in stature, dark complexioned and is distinguished for his intelligence and decided orthodox views. He is an accomplished Hebrew scholar and linguist and has written several admirable works. He devotes considerable time and attention to pastoral work, a duty generally overlooked by most occupants of the Hebrew pulpit, and has consequently gained many friends. In addition to other accomplishments he is a physician with an extensive practice, which is gratuitous and confined mostly to the poor.

Rev. Frederick de Sola Mendes, of the Synagogue Shaaray Tefilla (Gates of Prayer), is a man of very clear and incisive character and speech, and is highly esteemed as an erudite and accomplished minister. He is a fine Talmudic scholar and is especially proficient in Oriental languages. Mr. Mendes is identified with the Hebrew Theological Seminary, recently established in this city, and is much

Digitized by Google

beloved by a very large circle of friends. In appearance he somewhat resembles his brother, Rev. H. P. Mendes.

Dr. Aaron Wise, of the Congregation Rodef Sholom (Pursuers of Peace), is a German. He is above the average height, robust and well proportioned, of dark complexion and wears a short, full beard interspersed with streaks of gray. Dr. Wise is a good pulpit orator and is frequently heard on the lecture platform. He is very popular in Hebrew circles, especially with the residents of the East-side, where his congregation is located.

In the MENORAH for May we shall give further extracts showing the careers of leading financiers, merchants and manufacturers.

Editor's Bureau

THE fifth annual meeting of the Ladies Auxiliary Society of the Yonkers Home will be held on the 17th of April at the Grand Lodge Rooms, cor. 3d ave. and 55th st. New officers and six Directresses will be chosen in place of the following, whose terms have expired: Mrs. M. Minzesheimer, Mrs. Julius A. Levy, Mrs. Jos. Fox, Mrs. Henry S. Herrman, Mrs. Hugo Josephy, and Mrs. H. Bowman.

WE should like to know if our friend, Hon. Simon Wolf, former Recorder of Deeds at the Capital, and who is no less celebrated for his *jeu d'esprits* than for his eloquence, is the father of the following which we find in the Macon *Telegraph*:—

Perhaps President Cleveland thought that so long as the office of Recorder of Deeds in Washington was to become a *race* question he might just as well bring in a Trotter at once.

THE series of papers on American Hebrews written by Mr. Isaac Markens, one of the reportorial staff of the *Mail and Express*, have certainly excelled any previous similar contribution to the daily press and have naturally attracted very wide attention. We learn that the talented author has determined to revise and elaborate these papers and publish them in a handsome volume. Such a book containing historical and biographical sketches of American Hebrews must prove very attractive and find extensive circulation. In another place we give some extracts from Mr. Markens' articles.

THE *Hebrew Standard* with its issue of the 11th ult. entered upon its tenth volume and sixth year and we are pleased to note exhibits more than ever a vigorous desire to minister to the spiritual

Digitized by Google

wants of its readers. There is a religious fervor about the *Standard* of the olden time conjoined with a spirit of philosophical thought which strikes the happy medium, and in these days of "evolutionizing," of new fangled and hybrid notions and soarings is refreshing to behold. Bro. Solomon and his able corps of reporters make an interesting journal and we wish the *Standard* may long continue to wave.

AMONG the eminent legal luminaries of Germany is Dr Makower of Berlin, and not only is he distinguished at the bar but as one of the most enlightened of philanthropists.

We recall with pleasure how in the darkest hour of Roumanian persecutions of 1871–2 he put forth his strength with purse and pen to aid the cause of Jewish Emancipation. It is therefore with much gratification we record his decoration by the illustrious Emperor William with the "Red Order of the Eagle." At a time when Anti-Semitism runs high in Europe it is pleasant to observe this recognition of merit.

OLIVER WENDELL HOLMES in his autobiography of "One Hundred Days in Europe" commenced in the March *Atlantic*, and which promises to be delightful and instructive reading, recommends Himrod's Asthma Cure "one of the many powders, the smoke of which when burning is inhaled." He says "it is made in Providence, Rhode Island, and I had to go to London to find it. It never failed to give at least temporary relief." The proprietor of this powder is doing himself an injustice and the public an injury in not advertising it, but in thus doing it for him, it is the latter we consider pitying, notwithstanding a man who thus wantonly "hides his light under a bushel."

MR. EDMUND NEUPERT'S Pupils' Concert at Steinway Hall on the 8th ult. was a charming affair, exhibiting in a high degree the excellence of his methods. Among those who elicited the greatest admiration for the remarkable talent of her execution was the young daughter of Mr. H. Schiller, Secretary of Independence Lodge. Miss Schiller, who has recently attained her thirteenth summer, is a musical prodigy. Her execution on the piano of the most difficult selections of Chopin, Mendelssohn and Rubenstein exhibited genius and application of high order. Prof. Neupert if he has many such pupils deserves to rank among the very first teachers, and Brother Schiller

Digitized by Google

may be truly proud of his gifted child, whom we are pleased to learn he intends sending to the Paris Conservatory to complete her musical education.

THE Sanitary Aid Society of New York, during its brief existence of three years, has accomplished a vast amount of good and its efforts to promote the amelioration of the tenant house system should meet with the warmest encouragement. The Society was established for the purpose of contributing to the healthful lodgment of the poor of the city and while assisting the constituted health authorities in the discharge of their important duties, see to it that the hygienic laws are rigidly enforced. In the 10th Ward of the city it has been particularly successful inlimiting the number of tenants to the tenement houses and its Night Lodging House in Doyer St. has lodged over 50,000 men during the short time of its existence. Here, besides beds, a night shirt and warm bath for ten cents a night, a good breakfast for five and a warm dinner for ten cents are provided. It is estimated that over 40 per cent. of the lodgers have been Hebrews and it is to the credit of the managers that the kitchen has been conducted *Kosher* and with regard to cleanliness unexcelled by any first-class hotel.

AN immense stride has been taken by the election of Dr. M. Gaster to the English Chachamate which has been vacant ever since the death of the lamented Dr. Artom. That the proud Spanish-Portugese Jews of old Bevis Marks should select an Ashkenaz to be their Chacham or Chief Rabbi is significant of the changes which have been wrought during the last twenty-five years in the sentiments and prejudices of the Sephardim. It is to be hoped that this example will not be lost upon the few Portugese Congregations of the United States. Already the ministers of these synagogues have exhibited some progress but the rank and file are sadly behind in all that tends to a true worship—a heart not a lip service.

Dr. Gaster driven into exile by the stupid magnates of the Roumanian Chambers has found in Great Britain recognition such as is rarely accorded to so young a man. As Ilchester, lecturer at Oxford University, he has displayed scholarship of high order, and is recognized as a profound Hebraist and learned in all branches of Talmudical law.

If we do not err, Dr. Gaster was a fellow-student of Dr. Abram S. Isaacs, the Editor of the *Messenger*, at Breslau.

We remember him in Bucharest as a bright boy and his grandfather as a learned Talmudist. His father was Secretary of the Netherland Consulate during our residence in that country.

Our heartiest congratulation upon this distinguished honor.

"*The cry is still they come.*"—Since the first October last to the 28th of February, 11,129 Jewish immigrants have arrived at

Digitized by Google

Castle Garden, New York. Of these 4927 were men, 3043 women and 3159 children. Their nationalities were as follows:

Russian, 7930; Austrian, 2266; German, 233; Roumanians, 671; English, 17; Turks, 8; Dutch, 3; Danes, 1.

Of this number 8531 remained in the city and 2598 left for other places, a considerable number for the colonies in the West.

THE United Hebrew Charities are fortunate in possessing the services of an able, intelligent and efficient corps of employees in the persons of Messrs. Hirsch, Reichhow, Frank and Jaworower. Few can appreciate the many trying and painful experiences to which these gentlemen are subjected and considering the heterogeneous elements they have to deal with, the many fearful cases of want and misery they have to meet, their services cannot be too highly appreciated. The United Charities are likewise blessed in now having for its President and Directors men of the highest character, of humane and philanthropic heart, and large experience and intelligence. We could wish the Bureau of Immigration of this noble Charity could be enlarged and we would earnestly urge the Board of Officers in the absence at present of a Jewish Colonization Society to extend its sphere of usefulness and to this end invite special contributions. We believe there would be an immediate and generous response.

THE appointment by the President of Mr. Oscar S. Straus, of New York, to be Minister Resident of the United States at Constantinople, will be received with gratification both at home and abroad.

Mr. Straus, who is 36 years old, married to a charming wife and father of two lovely children, is a native of Germany, but was brought while yet a child to the United States by his parents, who settled in Talbaton, Geo. After the war the family removed to New York where Oscar entered the Columbia Grammar School and in 1871 graduated from Columbia College as an "honor man" and two years later from the Law School. Soon after he commenced practice as a member of the law-firm of Sterne, Hudson, Straus and Thompson. On account of ill-health he retired in 1880 from the practice of law and traveled in Europe. After spending some years abroad he returned and entered his father's house as a member of L. Straus & Sons, with which he is still connected and which is one of the largest importing houses of china, pottery and glassware in this country.

Digitized by Google

He has always taken great interest in local politics and was a member of the Citizens' Executive Committee which nominated Mayor Grace in 1882. During the last Presidential campaign he was Secretary of the Executive Committee of the Merchants' and Business Men's Cleveland and Hendricks Club. The resolutions adopted at the great Democratic mass-meeting in the Academy of Music during that time were drafted by him. Mr. Straus has always been a great student and reader. Several times he has lectured in this city on historical subjects and his book, "The Origin of Republican Government in the United States," is now in its second edition. An article from his pen will appear in the current number of the *Westminster Review* on "The Development of Religious Liberty in America."

Mr. Straus is a member of the Nineteenth Century Club, the Constitution Club and the Bar Association. His name, it is said, was suggested to President Cleveland by a remarkably large number of New York business men, entirely unsolicited by him. His appointment is an honor to Israelites and happily his refined and cultured mind, lofty integrity and public-spirited character make the selection one eminently fit to be made. The poem printed in the MENORAH of January, and entitled the "Jewess," is said to have been dedicated by its author to Mrs. Straus.

Henry Ward Beecher.—Mr. Beecher was the Cromwell of the pulpit without Cromwell's craft or cunning. He was a fighting parson and never happier than when engaged in conflict.. But his battles were not of the disputatious school of ecclesiastics nor his conflicts in splitting hairs over subtle points of theology. He loved to fight and he fought as few other preachers fought the naked, transparent and crying evils of the day, black slavery and white slavery and every form of tyranny, of wrong and oppression. His was a catholic soul that took in all men as brothers and for all men he fought alike through good and through evil report.

If he was not an ideal clergyman, he was an ideal hero. His humanity grew by what it fed on and as he loved to be in and a part of the great world, his spirit was permeated with human not abstract feelings. When he spoke it was the man not the saint who moved to their innermost souls those who hung upon the honey of his lips. His was a robust eloquence that took hold of the body and the brain. His very presence was as animating as his manners were magnetic, yet had he not been a man of pre-eminent genius his mere physical

Digitized by Google

and mental powers would not have been sufficient to have retained his hold upon cultured as he always did upon the common people. Not as great a man as Channing or Parker in the profundity of learning or the perfect consistency of character, he was greater than either in broader and fuller development of heart. Few men were his equal and of those who may attempt to follow in his footsteps still fewer if any, will ever equal or compare with his greatness. They will for the most part be signal failures and we pity the priest, be he minister or rabbi, who shall attempt to imitate what they never can achieve. In this respect his example may prove, perhaps has already proved dangerous. It is given to but one man in a century to be as he was in his calling and as there was but one Shakespeare so there can be but one Beecher. His model may be improved upon in particulars, in many particulars, but can never be equalled as a whole. In the daily walk of life as in the pulpit he was so natural in his manners that he was more often taken for an actor than a man. "He is always playing a part," was once said of him, and the answer was, "he plays it so well that if *this* be acting then all men are players."

Elsewhere we have given his celebrated sermon on the "Jew and Gentile" preached at a time when an ebullition of old Satan caused a prominent citizen to do a foul wrong. This discourse brings out the rare gifts of Mr. Beecher perhaps better than any other sermon he ever uttered. It was such a protest as a great soul alone could express and it is as fresh and pregnant to-day and as apt and fitting as when its author with all the fire and splendor of his eloquence pronounced it in Old Plymouth.

The great preacher has gone but his memory will live and grow brighter with years. If he had great faults he had greater virtues and above his grave a fitting epitaph would be that of Abou Ben Adhem, "He loved his fellow man."

The grave has closed upon his earthly labors, his life-work was round and full, his mission fulfilled.

"No further seek his merits to disclose,
Or draw his frailties from their dread abode,
There they alike in trembling hope repose,
The bosom of his Father and his God."

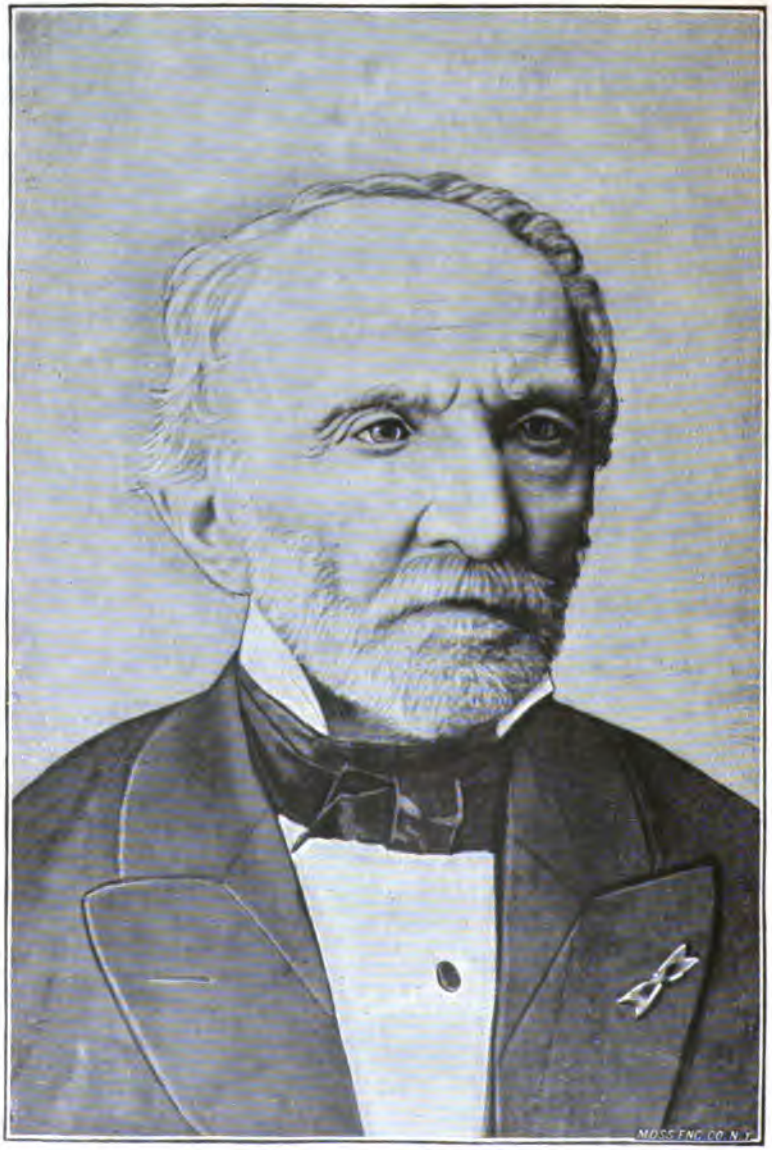
SPECIAL NOTICES.

The Lodge and Association Hospital was incorporated on the 14th of September, 1886 and the Institution was opened for the reception of patients on the 13th of October. The hospital is supported by the annual dues of all lodges and associations who may become members and pay an annual contribution of not less than fifteen dollars. Lodges and societies thus becoming members have a right to elect their representatives for the Hospital Association who enjoy all rights and privileges in the administration and whose members in case of sickness will be admitted and cared for without extra charge for a period not exceeding one year. Special diseases of eye, ear and throat or requiring treatment by electricity are treated by the German Poliklinik, 411 Sixth St., without extra charge. One hundred and ten lodges have already joined the Association.

In view of the crowded state of several of our hospitals, notably the Mount Sinai, this new institution offering several special advantages would seem to fill a great want especially for the densely settled sections of the East Side, and if properly supported, as we have no doubt it will be, must become a great boon to sufferers. Lodges and other benevolent societies are invited by the Board of Trustees to investigate the establishment which is located at 66 St. Mark's place.

Digitized by Google

Digitized by Google



Joseph de Weidheimer

Digitized by Google

THE MENORAH

VOL. II. *MAY, 1887.* NO. 5.

JOSEPH RITTER VON WERTHEIMER.

THE struggles of the valiant ones of Israel for the emancipation and enlightenment of their race during the present century will compare with those of any age or time. Their work has been on the broad plane of humanity, in the interest of mankind at large, even though apparently limited to those more immediately crying for help or receiving benefit.

Among those great moral heroes no name deserves to be enshrined more lovingly than the illustrious Joseph von Wertheimer who was gathered to his fathers on the 16th of March last, at the ripe age of 87. Born with the century, he lived to see the work of his hands prosper, and the enslaved and tortured people for whom he so heroically battled, emancipated and admitted to full rights of citizens and on the high road to recognition equally with other races and creeds, according to their merit and deserving.

Author, poet, merchant and philanthrophist, he entered upon the arena of life a warrior, and died with his harness on, fighting the "good fight" to the last. To him the Israelites of Austria and Hungary owe their emancipation; more than to any other man to him must be attributed the imperishable honor of having successfully battled for their rights, the great revolution of 1848 and the war of 1866, achieving their complete emancipation.

Joseph Ritter von Wertheimer was born March 17th, 1800, 18th Adar 5560. He sprung from the stem of Samson Wertheimer, Grand Rabbi and Chief Commercial Adviser of the Austrian Court. His father was Solomon Joseph Wert-

Digitized by Google

heimer, born in 1757, who came to Vienna in the year 1780, from Mannheim, the very year Maria Theresa died and her great son Joseph II ascended the throne. On his grave-stone is inscribed: "der vor Menschen nie, vor Gott allein sich beugte." "Who never knelt to man and bowed alone to God." He died 1834, aged 77. He was a man of great worth, a true Israelite, an admirer and friend of culture, of science and the arts.

His mother, Marianne, *nēe* Oppenheim, who died two years later, and who in her last years was a great sufferer, was a sister-in-law of David Friedlander, the friend and pupil of Mendelssohn. She was a woman distinguished by her social accomplishments and in her house met the most prominent representatives of art and science, among other frequent visitors being Joseph von Sonenfels.

Joseph at fourteen entered the comptoir of Freiheer von Stifft and remained five years in this position. At fifteen he commenced to write in behalf of his co-religionists. In 1824, '26 and '28, he traveled in Germany, Italy, France and England. In 1829 he married Henrietta Ullman, daughter of the Banker Ullman, of Augsburg, who has ever been a true help-meet to the Chevalier and shared in his noble and humanitarian labors.

Owing to the protracted illness of his mother, at whose bedside he passed a considerable period of his childhood, Wertheimer's nervous system was weakened and he was of a very delicate and slender constitution.

Notwithstanding this and without regard to his privilege of a Vienna citizen (who by the law was discharged from military duty) he had to enter military service, and it was only after nine months of great effort his father succeeded to free him.

After five years of business practice with the Freiheer von Stifft firm, he entered as partner his father's house. Although industrious and attentive in his business career he never gave up his tendency towards perfecting his mental and spiritual pursuits.

The friends of his youth whose centre was at the house

Digitized by Google

of Dies, Prof. of Arts, were Baron Puteani, author of the Kaliotik; Karl Veit, head custodian of the University library, who was his best friend till the end of his life; Eugene Wessely, Prof. of Gymnasium and prominent writer; Baron Badenfield, and Prof. Dr. Ludwig Ieiteles.

His love for his co-religionists whose life and history he had diligently studied, had so much taken hold of his mind and thoughts, that however strong was his affection for the general political movement, at that time the magnetic power for the growing enthusiastic youth, Wertheimer neglected everything for the sake of his people whose universally pitiful situation called the best sons of Israel to stand in the avant-guard in defence of their cause and the cause of human rights.

When fifteen years of age he wrote a defensive pamphlet concerning the famous charges against the Jews, which writing, though not published, was reviewed and applauded by the eminent author, Baron Retzer.

In 1826 Wertheimer contributed to the *Wiener Zeitschrift* a sketch which though considerably cut by the public Censor was a most enthusiastic description of the consecration of the new temple in Vienna.

His sister Annette largely contributed towards his literary endowments and spiritual life.

While traveling through Germany, Italy, France and England, he studied the history, customs and manners of the people and nations with whom he came in contact, but on the foreground always appeared the fate of his co-religionists. Having carefully studied the English system of infants' schools, he translated Wilderspin's book on the subject (Vienna 1828), and his second revised edition in 1832, attracted so much public attention that the royal Prussian Ministry of Education, notwithstanding its traditional exclusive patronage of Prussian institutions and organizations, recommended this work to be introduced in all schools and granted the expense necessary for its purchase.

This admirable effort of Wertheimer exercised a similar influence in Switzerland and even in France and Italy.

Digitized by Google

His success led him to further enterprises in this branch and he wrote "Therese, a Manual for Mothers and Children's Nurses."

But literary fame did not alone satisfy his earnest feelings and he therefore decided to contribute all the income of this work towards the foundation of a "Children's Institute" in Vienna.

Notwithstanding the strong opposition he met with on the part of the aristocratic bourgeoise, as well as that of the clergy, who, both feared the influence the new institution would exercise upon the lower toiling class, the energetic efforts of Joseph Wertheimer resulted in triumphant success.

One after the other these children's schools and asylums were founded all over Austria, and the opposition party was especially brought to nought, when the movement received the full sympathy and protection of the Empress Caroline Augusta.

Under the direction of the Archbishop-Prince Milde, a Central Committee was founded in Vienna and Wertheimer chosen successively its active executive.

Great was his success and popularity, for great were his services to the cause of education of the growing generation of the first half of this century, and his work for the common good of humanity; and this could not fail to be acknowledged even by those of the government who were inimical to all progress.

Wertheimer received a Belobung's decree (letter of praise) from the Government; and what was most valuable to him, he was granted the privilege of proprietorship; of this he made his best use in the purchase of land for the Jewish Children's Institution, which he had founded in 1843.

About the same time Wertheimer and his friends founded a society for developing technical and trade schools among the Hebrews.

An opportunity was thus afforded to children of the poorer Jewish population to learn different handicrafts and a check was given to those prejudices against Jews which their

Digitized by Google

enforced restriction to one pursuit had so long acted against them.

The foundation of this society however met with a great many difficulties on the part of government officials.

Wertheimer's activity was ceaseless, he devoted his energies towards calling to life another institution ; this was the "Jewish Orphan Asylum."

Besides society matters and his charitable work for corporations and institutions, he was never weary in rendering assistance and advice, material or moral support whenever called upon.

He was truly an ideal man in this respect and contributed greatly to the glory of Israel and humanity in general.

In the early days of the century only a limited number of families were allowed to reside in Vienna, and the question of the "tolerated" often arose, as to their rights and property, and here again we find Wertheimer on the spot to protect and very often to save the victim from under the impending Damocles sword.

Wertheimer was chairman of the school section and president of the Jewish Committee of Vienna for thirty years.

From 1854 to 1869 Wertheimer as editor of the "Annual (Yahrbuch) for Israelites" served with great self-sacrifice the cause of Judaism. When he was first elected representative for the Jewish General Congregations (Cultus Gemeinde) he met with opposition.

"You are too young to understand the responsibilities of this position and to have an opinion concerning the defence of Jewish interests" was the remark of his colleagues.

His anwer was characteristic : "I am eight years older than the senators of Rome were required to be, they who had to rule the world ; and surely may represent a handful of people who are scarcely tolerated."

In 1833 Wertheimer wrote a play "Der Bucklige" (The Hunchback), which pleased the public and was presented on the stage of the Imperial Theatre fifteen times.

In 1838 he wrote a drama in verse, its leading idea being that of Jewish Emancipation. This however naturally

Digitized by Google

received at the time only limited success. Besides he wrote "Eheliches Leben" in four acts, and the "Mantelsack."

After the battle of Solferino there was a general feeling of reform, and Wertheimer did not miss the opportunity to call the public and government's attention to the Jewish *statu quo;* he wrote "Die Regelung, der Statts-burgerlichen; stellung der Juden in Oestreich," (Regulation of the civil status of Jews).

In 1863 he addressed a circular to all those having influence, knowledge and practical experience at command, appealing to them and persuading them to take part in the great mission of rendering moral and material help to their younger brethren of the small Jewish congregations. In this appeal he said :

"More or less these congregations need advice, protection and especially material support, in order to be enabled to lay the foundation, however so simple, of worthy congregational, educational and benevolent institutions.

"It shall and must be our duty not to let them fall in despair. It is a mission, a voice, reaching us, and commanding, that we alone can, and therefore should, take our weakened brethren under our protection and assist them in their noble endeavors.

"Beware, that while we have not yet attained our political emancipation, our social emancipation is still wanting perfection.

"It is not to be a local one as it is now, nor limited to Vienna, but to be broad and general, and spread its light over all the country, and this calls for the necessity of culture and education, which alone will enlighten prejudiced minds and lead to brotherhood.

"To cleanse the temple and to light the shining Chanuka candle of civilization is a noble and worthy object, and to create and sustain this it requires our bravest effort.

"Throw a retrospective glance over the dark days of the past of Judaism in Austria, and you will observe everywhere, that it was to the neglect and alienation of the primitive Jewish communities and parishes, and these furnished th

Digitized by Google

spark which, blown up by our prejudiced enemies, has brought upon our co-religionists the horrible flames of hatred, persecution and ruin."

Appearing as the leading guiding star of Judaism throughout the whole period of the Austrian and Prussian Governments' and popular persecution, Joseph Wertheimer, even as the ancient sons of Gad and Reuben, at the conquest of the promised land, did not retire ere the battle had been fought to the end.

And this moment he perceived at the time, when finally the Constitution of the Vienna congregation was accepted by the Government, and on December 21st, 1867, sanctioned by the Emperor himself.

Joseph Wertheimer had now attained the aim for which he had struggled so long. Union and concord, peace and solidarity had been constituted and secured in the Jewish community, and he then thought it possible and loyal to withdraw from official activity.

And notwithstanding the general efforts to have him refrain from this decision and the request of different congregations and institutions, who beseeched that he would further hold the office of President of the representatives of the Hebrew community, he regarded it as impossible, considering his health, to proceed further in his official career.

Praised and beloved by all, esteemed, greeted and glorified by the entire Austrian Jewish, as well as Christian community, he deemed it his duty to retire from official position.

But this did not extinguish the light glowing in his bosom ; did not diminish his love for and interest in his people.

A single passage from the address of the trustees of the community will show how he was revered :

" You have made yourself highly worthy for the services you have rendered to all our co-religionists, and especially to our Cultus Gemeinde. Your name, your deeds and your works will be revered and honored by ourselves, and our offspring will ever gratefully remember and recall with praise and honor your glorious deeds."

Digitized by Google

When the French "Alliance Israelite" became enfeebled by the late Franco-German war he established and was elected President of the "Austrian Alliance," and though past three score and ten, labored with the enthusiasm and zeal of a young hero for the amelioration of the poor Jews of his country and for the political and social emancipation of the Hebrews of the Orient.

During the Roumanian persecutions he was the intimate friend and counselor of the American Consul-General, who had been specially appointed by the Government of the United States to use his good offices in behalf of the oppressed people.

Untiring in his efforts, no toil seemed too great, no opposition too strong for this noble scion of Judaism. His great services to his country and to humanity made his name renowned throughout the world. He was decorated by the Emperor with the "Knightly Cross," the "Order of Francis Joseph," of the "Iron Crown," and received the Golden Medal for arts and sciences, and the freedom of the City of Vienna was conferred upon him on his attaining his seventieth anniversary.

Among his numerous works may be particularly mentioned:

"Education of Small Children and English Institutes for such." (Ueber Frühezitige Erziehung und Englische Kleinkinderschulen, Wien, Gerold, 1828. 2 Auflage, 1832); "Therese, a Hand-book for Mothers and Nurses," (Therese, ein Handbuch für Mütter und Kinderwarterinen, Wien, Gerold, 1835); "Dramatic Contributions," (Dramatische Beiträge, Wien, Gerold, 1838); 'The Jews of Austria," (Die Juden in Oesterreich vom standpunkte der Geschichte, des Rechtes und des Staats-vortheiles, 2 Bände, Leipzig, 1842, Mayer u. Wigand); "Vienna Commercial Journal," (Der Wiener Geschäftsbericht, Handel's Journal, 1848); "Position of the Jews in Austria," (Die Stellung der Juden in Oesterreich, Wien, Kep & Pierer, 1853); "Civil Status of the Jews of Austria," (Die Regelung der Staatsbürgherlichen stellung der Juden in Oesterreich, Wien, Euruch,

Digitized by Google

1859); "Year Book for Israelites." (Yahrbuch für Israeliten, 1854–1864.)

His last work was the "Jewish Race in Relation to Humanity, Politics, etc. (Gesinnungstüchtigkeit des Jüdischen Stammes, etc., Wien, 1886:)

He had also commenced his autobiography, but this he was not permitted to finish. To his life-long friend, the poet, Dr. Ludwig August Frankl, we must look for the completion of this inestimable legacy.

The portrait which embellishes the present number of the MENORAH was taken a few years ago, and though admirable in many respects, but imperfeetly conveys the noble features of the immortal philanthropist.

In stature Wertheimer was of middle height, somewhat inclined forward from being near-sighted.

From the first the impression he made upon a stranger was that of a scholar, and his soft and gentle manners won all hearts. In speech he was quick and fluent, and easily carried away by the excitement of his feelings when the subject related to any grave wrong.

Poetically gifted he looked upon the world as worth living for, and there was no maudlin sentiment in his nature. Happy in the love of a devoted wife, who survives him, his family life was beautiful as it was lovely.

He has gone! the noble heart beats no longer; the great soul has left for ever its earthly tenement, and only a memory and a name remain.

But these are priceless, and as his life work shall become better known, another glorious example will be given to the youth of the world, and to the Jewish youth in particular, of what a pure spirit—dauntless and heroic—may accomplish for humanity, even though subjected to the daily toil of commercial life, and the trial of never-ceasing and patient effort in behalf of the suffering and oppressed.

BENJAMIN FRANKLIN PEIXOTTO.

For nearly twenty years it was our proud privilege to enjoy the personal friendship and to be favored with the

Digitized by Google

correspondence of the illustrious dead. His last letter written at the end of January already foreshadowed the approaching close of his long and eventful life. It will have a sad interest at this moment and be read with mournful pleasure by all who revere the memory of one of the best and bravest of men.

VIENNA, January 24, 1887.

MY DEAR AND HONORED FRIEND:

From day to day, and from week to week, I have been summoned to write you, but my bodily weakness and precarious state of health put difficulties in the way. Now I feel a new inspiration for expressing to you my best thanks for the kind remembrance you gave me in the last number of your most valuable monthly, THE MENORAH. Your work has not only a mission with the Sons of the Covenant but also with American Free Masonry which should exert itself to stem the growing and revived but most calamitous influence of the Jesuits in Europe and particularly in Austria. Though expulsed from the territory a few years since, they are back again and exercising a most baneful influence, and are more than ever the sworn bitter enemies of Masonry. The Free Masons of America should reproduce and widely circulate Blaise Pascal's, "Les Provinciales," to counteract and destroy the pernicious efforts of the Jesuits. This master-work did great good when first published; it is equally potent for truth to-day, and is called for in answer to the calumnies which are being so industriously sowed against the noble Brotherhood.

Though now at my 87th birthday, my corporeal weakness does not, thank God, affect my mental powers, and I continue to watch every movement for the progress of humanity with profound interest. Free Masonry is the exponent of the great principles of humanity and civilization and should be the active agent for their dissemination. It was a great comfort to me to read the declarations of the Strasburg Lodge on the first day of the year. * * * We have here fifty Roumanian boys as apprentices to different handicrafts, and you will be delighted to hear of their progress and bright future. * * * * No more for this time as even these few lines have fatigued me. Hoping soon to hear from you, with best love to Mrs. Peixotto in which my dear wife joins, believe me

Your ever affectionate

JOSEPH DE WERTHEIMER.

Digitized by Google

JUDITH.

Midnight in the Assyrian camp! No sound
Mingles with the light zephyr, whose faint breath
Fans the dull sleeper's cheek, and lifts the tress
Of raven hair on many a sunburnt brow,
Or revels in light playfulness around
The gorgeous canopy of Holofernes.
'T is silence all. A murmuring rivulet,
Whose ripples scarce disturb the wakeful ear
Of the tired sentinel, goes whispering by,
And whisperingly is answered by the bough
Of palm and cedar on the mountain side.
The moon hath waned, and in its stead the pale
And melancholy stars are out upon
The midnight sky of Judea.

Lift we now
The veil of yonder tent; what see we there?
Hush! for a sound might wake the slumberer,
Who soon must know a deeper, darker sleep.
There, on his couch, gleaming with gold, and bright
With glittering jewels, the proud conqueror lies.
Deep sleep is on him. Pause and gaze upon
A nation's dreadful scourge! The embroidered robe
Clings to a form of strength and majesty,
And the broad, massive brow, and deep-set eye,
And the compression of the closed lips,
Are all indicative of firm resolve.
He is alone! No! by the flickering beam
Of yonder lamp of fretted gold, we see
Another form.

A woman! a fair, lovely flower,
With eye of fire and lip of pride,
Why stands she by the hero's side,
Thus, at midnight hour?
The glossy tendrils of her hair,

Digitized by Google

Enwreathed with many a costly gem,
Meet for a monarch's diadem—
Float o'er her bosom fair,
And veil—nay, grace the lovely form
That trembles like a timid dove;
Trembles, but not with thoughts of love.
Ah, no! that bare white arm,
That plucks the falchion from its place,
And waves it glittering o'er her head,
Attests 'tis for no love embrace
Her steps are hither led.

Hark! heard ye not a sound?
The drowsy sentry paused to hear,
But the sweet brooklet, murmuring near,
Is all that meets his startled ear
In the dim silence round.
And ere the dull gray dawn of day
Breaks from the chambers of the east,
The Hebrew matron takes her way
Among her native hills to pray;
And 'tis their lord's behest
That she, unquestioned, pass to where
Her feelings pour themselves in prayer.

She leaves that scene of blood behind,
And speeds through many a lonely dell;
But the fearful workings of her mind,
Oh! who shall dare to tell?
She leaves that scene, but not alone—
A severed, ghastly, gory head,
Whose glances lately met her own,
Bears witness from the dead,
How fearfully her woman's soul
Had mocked at Nature's soft control—
How well her mission sped!
Oh! not by woman's gentle hand
Should blood be shed or victory won;
Yet, for her God, her love, her land,
What hath not woman done?

REBEKAH HYNEMAN

Digitized by Google

CHAPTER XII.

PRIVATE AUDIENCE WITH PRINCE CHARLES AND THE PRINCESS ELIZABETH. SOME PERSONAL CHARACTERISTICS. AUTOGRAPH LETTERS OF GENERAL GRANT AND BERTHOLD AUERBACH.

ACCORDING to the promise of Minister Catargi, a few days after our last meeting I received word from Prince Charles that he would be pleased to receive me in private audience. I called at the palace at the hour fixed, and was most courteously received by his Highness. Delicate points of etiquette as to the political and diplomatic position I should occupy, whether as accredited tc his Majesty the Sultan of Turkey, or as a diplomatic agent and Consul-General to the Court of his Royal Highness, were discussed and speedily settled. I could not fail to recognize the embarrassing position which he held, *vis-a-vis*, the Sublime Porte and the country, which, in the exercise of its declared sovereign right, had chosen him her constitutional monarch.

It was a trying period in the political history of the country, one threatening the stability of his crown. He had already passed through a number of serious trials, and a greater crisis than ever was impending. Ministry after ministry had fallen, and another change seemed inevitable. We discussed the political situation in Europe, the war between France and Germany, and the potent influence which the latter would unquestionably wield in the future over the destinies of Europe.

The Prince impressed me as a man of most amiable disposition, anxious to promote the true welfare of his adopted country, to secure her recognition as an independent sovereign state. He spoke to me of his ardent desire to see all his subjects placed on an equal footing as to their civil and political rights, and believed that only time was wanting to bring about this desideratum. To my remark, that at this late day in the century no country could hope to receive

Digitized by Google

political recognition and secure the sympathies of civilized nations and people without placing herself in the front rank of humane and enlightened States, he said he fully recognized the justice and necessity of the fact, and it was his constant aim to promote it by every means in his power.

Alluding to the United States, he said: "I have the greatest admiration for your President, the illustrious general who, in war and in peace, has placed himself along with Washington as the saviour and preserver of his country." "To my mind," he added, "General Grant is one of the greatest military heroes of the age, and, speaking as a soldier, he has evoked my greatest enthusiasm; such grand qualities are only to be found among those of commanding genius." I told him I was delighted with this warm appreciation, which indeed was only deserved, and that I felt gratified beyond words to be able to say that I had the honor to possess the esteem and confidence of my chief, and that as a mark of his sympathy with my present mission he had written and given me an autographic letter, which it gave me pleasure to show his Royal Highness. I then exhibited the original of the letter written with his own hand by President Grant a short time previous to my departure, and which read as follows:

EXECUTIVE MANSION,
WASHINGTON, D. C., Dec. 8th, 1870.

The bearer of this letter, Mr. Benjamin F. Peixotto, who has accepted the important, though unremunerative, position of United States Consul to Roumania, is commended to the good offices of all representatives of this Government abroad.

Mr. Peixotto has undertaken the duties of his present office more as a missionary work for the benefit of the people he represents than for any benefit to accrue to himself—a work in which all citizens will wish him the greatest success. The United States knowing no distinction of her own citizens on account of religion or nativity, naturally believes in a civilization the world over, which will secure the same universal views.

U. S. GRANT.

The Prince seemed deeply impressed by a perusal of this

Digitized by Google

document which, I need not say, I preserve as a precious heirloom to be transmitted to my children.

Expressing my earnest wish to be presented to the Princess, I was shown into the apartments of her Royal Highness, by whom I was received with the utmost sympathy and kindness.

The Princess Elizabeth at this time was but a little past her twenty-third year; of remarkable presence, simple and unaffected manners, great frankness and ready speech, her whole demeanor conveyed at once the impression of a noble and intellectual mind. Her high and broad forehead spoke of a temple wherein was enshrined lofty and pure thoughts, while her bright and beaming eyes, full of deep expression and thought, reflected the light of a translucent soul. I found her to be a most charming and eloquent conversationist, and our discourse ran through the realms of the literature of different countries. She was equally at home in English and French, as in German, and told me, in fact, that her first introduction as a child was in the language of Shakespeare. For English literature her admiration was unbounded, while she spoke depreciatingly of that of the French, and was naturally enthusiastic for the German. So many points we found in common, concerning authors and poets, that our conversation, for a first interview, exceeded the ordinary prescribed limits, but happily she did not allow me to feel that I was exceeding those bounds. I handed her, during its progress, the letter of Berthold Auerbach, having retained a copy, which I may be pardoned for giving here :

VIENNA, Jan. 31st, 1871.

ROYAL HIGHNESS :

What better way to renew a faithful memory than by sending a messenger who can give tidings of us in words resounding with eloquence !

And thus may it be permitted to me to present to the personal acquaintance of your Royal Highness, the United States Consul General accredited to your Court, Mr. Benjamin Franklin Peixotto.

He will tell of my ever warm recollection of Mont-Repos and Heidelberg, and this highly cultured gentleman who is, as they say

Digitized by Google

in Heidelberg already, "Goethe-ripe," will, I feel confident, find in your Royal Highness the harmonious echo of his lofty and pure humanitarian zeal and that your welcome for him will be a sympathetic one.

It is one of the blessings of my life that personal acquaintance enables me in a measure to promote the pure and true objects of our being, and obtains for me the happiness of bringing together the representatives of these high objects.

On the last day of January I gladly seize the occasion to express those wishes which more properly belong to the first day of the year; may the New Year and all succeeding years perfect the ripe and rich fruit of your own and exalted Consort's noble and self-sacrificing ministry, and according to your wish may a peaceful prosperity be assured to your house and all the inhabitants of your land.

With profound respect,
Your Royal Highness's
Faithfully devoted,
BERTHOLD AUERBACH.

The perusal of this epistle, while it affected her Royal Highness kindly towards me, led her to say that with all her great admiration for the eminent author, she thought he had not exhibited very great prudence some few months before in making her royal husband the subject of a letter addressed to Prince Antoine, his father, at a time when party excitement ran so high in Roumania.*

Smiling, she said, "But I suppose we must pardon poets who are often led away by their feelings, to express themselves more frankly than diplomatically. I know that Auerbach meant nothing but what was kind for Prince Charles, and he has for me the warmest regard; we must pardon therefore and ascribe to his ardent and enthusiastic nature, what in another might be subject for grievance. How charming are his writings, how matchless the gift of his descriptive powers."

*This was that celebrated letter in which Auerbach remonstrated with Prince Antoine against the shameless persecution of the Jews, and denounced in no measured terms a people who perpetrated such atrocities.

Digitized by Google

HISTORY OF

THE INDEPENDENT ORDER B'NĒ B'RĪTH *

CHAPTER XI.

A SECOND LODGE IN BALTIMORE.—IT RAISES THE QUESTION OF ADMISSION OF NON-ISRAELITES.—ADVERSE DECISION OF THE GRAND LODGE.—DISSOLUTION OF EMANUEL LODGE.—INSTITUTION OF HAR SINAI NO. 8 AND HAR MORIAH NO. 10 IN PHILADELPHIA, LEBANON NO. 9, AND B'ER SHEBHA NO. 11 IN NEW YORK.—INFLUENCE OF THE ORDER UPON SOCIAL AND CONGREGATIONAL LIFE.

IN the month of March, 1850, a second Lodge, composed of the younger and more educated element, was established in Baltimore, under the name of Emanuel Lodge No. 7. Brother Wm. Renau undertook the mission of opening the Lodge in the prescribed form.

Much was expected from this Lodge. It entered vigorously upon its work, and the intelligence of its members gave promise of great things in the future. They did not, however, comprehend the mission of the Order as an element of education and elevation for Israelites.

They objected to its seeming exclusiveness and wished to introduce doctrines wholly at variance with the principles or objects for which the Order was founded. They held that it would be dangerous to limit its membership to Israelites, contending that such action would operate as a barrier and gravely prejudice the standing of Israelites in the community; besides that it was contrary to the enlightened spirit of the age. A committee of the Lodge was appointed to draught an application to the Constitution Grand Lodge for permission to admit non-Israelites, and this resolution, accompanied by a letter, was forwarded to that body.

It was the first time that the question of the admission

*Copyrighted.

Digitized by Google

of non-Israelites claimed serious attention, and in the course of our history we will see this question mooted again and agitated to a degree threatening the harmony of the Order.

Already, on a previous occasion, the subject arose for discussion, caused by a curious incident. It appears that a form book of New York Lodge had been lost, and, as it turned out, was subsequently found in the possession of a non-Israelite, who was so impressed with its contents that he refused to give it up, except upon the condition of his being initiated into the Order. The book was finally surrendered however without compliance with this condition.

The Grand Lodge were unanimous in their decision, and their reply is characteristic, and seemed to dispose fully of the question, and be a bar to all further agitation:

NEW YORK, Feb. 28th, 1851.

To Emanuel Lodge No. 7.
Baltimore.

In answer to your communication, enclosing a report of a committee of your lodge, I am ordered by the Grand Lodge to state: Benevolence, Brotherly Love and Harmony, our motto, are the principles we tried to inculcate among the brethren of the Order. Can any one find fault therewith? We don't say non-Israelites are excluded from the Order, but we do say the Order is adapted more particularly, and if you please, solely, for Israelites; and who is there among you, having received his sixth degree who can conscientiously say, that there is anything contained in the teachings of the Order that can be construed to the prejudice of the Jew.

"Hear, Oh! Israel, the Lord our God is one God!" To this we draw the attention of the Brethren.

Our Order will strengthen the Orthodox Jew in his belief, it will keep those who have already given up many tenets of Judaism from going still further, and leave Judaism altogether.

If we admit even that the Order excludes all non-Israelites, it is no more than some other secret societies do; for example:

The American Presbyterian Union, the different Catholic societies, the United Order of Americans and others.

You remark: our charity is only applied to one particular sect; that may be, because that sect only forms our Lodge, but we inculcate the virtue of charity towards all men but more particularly toward the brothers of this Order.

"Charity begins at home," but ends nowhere, and we shall be glad to hear of any cases, when the funds of the Lodge allowed it, that its charities have been dispensed to non-members of the Order. Certainly, every one

Digitized by Google

is entitled to his opinion; but if there be any, in whose opinion the Order is prejudicial to the Jew, these ought to withdraw from the Order and not throw a firebrand of discord among the mass, in whose opinion the Order is an honor to the Jews.

The members of the Grand Lodge are so well convinced of the good tendency of our Order, that they consider it as one of the means by which, with the assistance of the Almighty, the mission of Israel will be fulfilled, that it will hasten the day when all the nations of the earth will worship one God; we must, however, abide our time. The events in this life are not at our disposal. Thanks to the supreme wisdom of God, we cannot look into the future, and we know not what may be in store for us. Let us, therefore, endeavor to display a worthy example of the beauties of our Order, and let our life and actions prove to those who still harbor prejudices against the Jew, that they are mistaken, and let us bring about as far as we are able, the early arrival of that period, when the chains of human bondage shall be broken, and the tears and woes of this world shall be soothed by the healing waters that flow from the united fountains of benevolence and peace.

Then one law shall bind all the nations, tongues and kindred of the earth, and that law shall be the law of the Universal Brotherhood, then "the Lord shall be One and His name One."

This reply did not satisfy Emanuel Lodge, the agitation was continued, supported by a large majority of its members, which, however, at no time, exceeded forty, and who insisted on carrying out their peculiar views, and furthermore came in conflict with the older, Jeshurun Lodge.

In a general meeting called for that purpose, Emanuel Lodge resolved to surrender its charter, and so the dissolution of a lodge for the first time occurred in the Order.

On June 20th, 1850, after due preparation, a lodge was opened in the City of Philadelphia under the name of Har Sinai Lodge No. 8, and on the 27th of the same month Lebanon Lodge No. 9 was instituted in the City of New York, more especially for the purpose of giving the younger element an opportunity of participating in the work of the Order, who preferred to use the English language, the language of the country.

The fall ot 1851—seven years after its institution, the Order counted eleven lodges, with over one thousand members; a Lodge had been established in Philadelphia: Har Moriah No. 10, December 3, 1850, and another, B'er Shebha No. 11 in New York, April 15th, 1851.

Digitized by Google

A remarkable change had taken place in the social and congregational life of the Jews directly through the influence of the Order.

New congregations had been established with a dignified service, and in the older ones decorum and order had taken the place of the former chaotic condition.

Men of learning and eminence had arrived in this country to plead the cause of the Jews and of enlightened religion, and it was due chiefly, if not solely, to the activity of the Order, whose honored members they had become, that their labors were made possible and successful in the great religious and social field in which they were engaged.

Since through the establishment of the Temple Emanuel a new impulse had been given to congregational life, congregational matters from that time on, were no longer connected with the Order except so far as the influence which its individual members might wield as officers and active leaders of the Synagogue.

The attention of the Order was exclusively directed towards the realization of the special aims as laid down and expressed in its ritual.

And greater emphasis was given it by a public declaration of its purposes in a revised constitution, which was soon to be adopted.

The government of the Order rested chiefly in the hands of the members of the Constitution Grand Lodge which had its permanent seat in New York.

While all the lodges were represented, or were expected to be represented, in the regular meetings of the Constitution Grand Lodge, the great distance of the out of town lodges, and the loss of time involved in communications and consultations in the intervals, practically left the management in the hands of the New York members.

This, however, created dissatisfaction, and more especially as it was held that local interests could best be taken care of at their respective places.

When, therefore, the Constitution Grand Lodge, met in the month of August, 1851, a full representation of all the

Digitized by Google

lodges was present, with a determination of effecting a change in the administration, by which the machinery of government would be so adjusted, as to make the execution of the laws and the general conduct of affairs more certain and easy of accomplishment.

In this respect no difference of opinion prevailed, and the New York members, conceding the justice of the claim of their brethren from the other parts of the country, willingly aided in the adoption of a new general law, under which District Grand Lodges were to be established with full power and authority to legislate for lodges under their jurisdiction, the Constitution Grand Lodge reserving the right of general legislation and final decision in appeals, also the initiative for general enterprises in the interest of the Order and the change and modification of its Ritual.

CHAPTER XII.

ADOPTION OF A NEW CONSTITUTION AND ERECTION OF DISTRICT GRAND LODGES NOS. I AND II. COUNCIL OF SKENIM AND OFFICERS COMPOSING CONSTITUTION GRAND LODGE. LETTER ON PROMULGATION OF NEW LAW—MISSION OF THE B'NE B'RITH DECLARED BY DR. MERZBACHER.

At the sessions of the Constitution Grand Lodge held in the City of New York, August 25th, 1851, and the days following, the new Constitution of the Order was adopted, and in conformity therewith a charter was granted for a District Grand Lodge, to be known by the name of District Grand Lodge No. 1, located in the City of New York, and for a District Grand Lodge No. 2, to be located in the City of Cincinnati.

It was resolved that the Constitution Grand Lodge should hereafter be known as the highest tribunal of the Order, communicating only with District Grand Lodges. It was further resolved that the said Constitution Grand Lodge should consist of the Grand Saar, the Skenim or founders of the Order,

Digitized by Google

the ex-Grand Nasi Abhs of District Grand Lodges, and the ex-Grand Sars, who became members of the Skenim.

The following Brethren were elected as Officers of the Constitution Grand Lodge:

Henry Jones, Grand Saar; Dr. L. Merzbacher, Deputy Grand Saar; I. Rosenbourg, Grand Mentor; Isaac Dittenhoefer, Grand Treasurer; Joseph Ochs, Grand Secretary.

The following composed the Council of Skenim:

Baruch Rothschild, William Renau, H. Heineman, Reuben Rodacher, Henry Kling, Valentine Koon, J. Hecht and M. Schwab.

The new constitution was at once promulgated, and the lodges directed to have it precede their By-laws and to change their statutes in accordance with the same.

In their letter of transmittal the Grand Lodge says:

"This Constitution, like all human works, must necessarily be imperfect in certain directions; the demands of the times and the present conditions have been taken into consideration in its preparation, and it is an emanation of the free will of the brothers to whom it will be a sacred law.

This new Constitution is not made forever. The progressive tendency of our age will exercise its powers over it, and those who will come after us will investigate it, use and shape it in accordance with their own necessities; only that there should never be wanting in our Order the sacred principle of unity and brotherly love which, as the foundation of our aims, will remain for all future time.

Laws made by men are changeable like those who made them. Eternal and immutable, however, is the law of brotherly love.

It is the grand and beautiful idea which gave our brotherhood its existence and will preserve it for all future time, whatever may be the storms from without or the battles within"

The preface from the pen of Dr. Merzbacher breathes a deep spirit of religiosity, and aims at making the Order a missionary of peace and a messenger of brotherly love, not only to all the Jews but eventually to the world at large. Impressing upon the members of the Order the necessity of active co-operation of all Israelites to bring about a Union for the better fulfillment of the divine mission imposed upon Israel, it shadows forth in prophetic vision the ultimate scope and final aspiration of the Order, with Judaism as its foundation and the spirit that vitalizes it. He makes it the connecting

Digitized by Google

tie between all Jews, of whatever shade of opinion, keeping it intact and without direct connection with any other religious institution, congregational or charitable, but endeavors to imbue it so thoroughly with the spirit of the Jewish religion, as to make it the source from which all other institutions would draw their very life-blood.

This eloquent exposition of the principles and mission of the B'nē B'rīth was as follows:

"My covenant was with Him, life and peace."

Life and peace! what a noble covenant, what sublime aspirations of a covenant!

How beautiful is it in this terrestrial life, when peace sways its sacred influences, whether in the house, family, congregation or State. "How good and how pleasant is it when brothers dwell together in unity!"

Peace! How manifold its blessings, when it is our portion through life; not there where the stillness of the grave prevails, where inanimate, motionless powers slumber in the sleep of death, but here where life expands under its benign influences, where it ennobles existence by the harmonious co-operation of its inherent powers.

It is this benign and two-fold direction, the pursuit of which the B'nē B'rīth, the "Sons of the Covenant," have made their aim and object. It is the two-fold mission of the Covenant, "life and peace."

It is already four thousand years since we have borne this consecrated name, "Sons of the Covenant," that was made with our pious ancestors in the remote past, and which was preserved and transmitted to their posterity, also "Sons of the Covenant," confirmed at a later period to the liberated people, and preserved up to the present day. We also have sworn to this glorious banner of the Covenant, and under it we have wandered from land to land, from one part of the globe to another, at times victorious as saviors, in concentrated forces, at other times enslaved and trodden down with broken and divided strength. Thus heights and depths, honor and shame, joy and distress, marked our eventful pilgrimage, but the Covenant endured and its sons have not forsaken it.

Digitized by Google

And how promptly did they fulfill the duties of life and of peace.

The sacrifices that were brought what nation can compare with their magnitude? Unrivalled in their efforts and their institutions for the relief and support of those in want. Compassion and sympathy filled all hearts, benevolence and charity kept all hands actively employed, in its full extent unknown to the world at large, so that even its most inveterate enemies were forced to confess and attest to the glorious and benevolent acts of the "Children of the Covenant" as they practiced them during life.

And was it otherwise in regard to peace? What was there in the Covenant to mar or to destroy it? There was no sectarian spirit to sever and to tear asunder, no difference of opinion to estrange the parties from each other; they remained united, although dispersed all over the globe under variegated climes and tongues, they remained in close communion; the stranger found a home everywhere, "for there shall be one law, one custom to you all," was the living word in this Covenant of Peace.

This glorious past is the precious legacy of our ancestors, which is inalienable from us, no matter to what country we turn our pilgrimage; but with the dignity we have to combine the duty, and with the title of honor we have also taken upon ourselves the task to guard it.

We have settled in a new hemisphere; we have planted our foot upon friendly soil, saluted by friendly and noble brothers of our race. Who amongst the sons of Israel is not full of warmest gratitude towards that ever kind Providence which has led us hither; whose heart should not leap with glowing love and enthusiasm towards the new fatherland, towards its generous founders, and towards their noble progeny, without difference of religious faith?

Wounds are, however, yet to be healed, which fate has struck us in the old world, pains to be soothed, long, alas, yet to be felt as consequences of the long captivity in which Israel was kept. Physically worn out, mentally depressed, these pilgrims, starting from the far ends of their dispersion,

Digitized by Google

seek this asylum of liberty, anxious to participate in its blessings. Powerless, without means, unable to support themselves, many land on this shore ignorant of the vernacular, without direction to proceed, without home to settle down. Thus they wander about, longing for the brotherhood, which is willing to help, to render assistance and counsel them how to make a living; to effect this a brotherly union through life becomes necessary. Still more necessary is such a union in order to insure peace. Manners and customs belonging to the distant nations from which they originate and amongst which they have lived so long, meet in harsh opposition. Habit and different contemplations of life in distant countries, the produce of a different clime, often conflict with others and endanger that concord that has so gloriously prevailed in the old Covenant.

Therefore, this new Covenant of Peace, that its children should not only extend to each other the friendly brotherhand in all changes of life, when aid and assistance becomes necessary; when misfortune here and sufferings there make their appearance, but where their strength may unite also to higher and useful objects, to call into existence benevolent institutions, to found associations for instruction, art and knowledge, but more especially to cultivate and guard faithfully the common inheritance of Israel, the precepts of its covenant, and to insure to it that public dignity and respect which its possessors cherish for it, so that the old tree may thrive and strike its roots in the new soil with renewed vigor, that it may spread its branches, bear delicious fruits for all that seek under its shady foliage comfort and peace.

For this end the order B'nē B'rīth was founded. May it fulfil the glorious mission that is marked out for it in the united endeavors of its faithful children, in the vigorous progress of its united successors.

May the bond which binds them together grow stronger in "Benevolence, Brotherly Love and Harmony," and their covenant be 'Life and Peace.' "

Digitized by Google

Literature, Art and Miscellany

It is, I think, a happy idea of the editor of the MENORAH to enlarge the field of this Monthly, and to open its pages to the discussion of *all* questions and of *all* subjects concerning Jews and Judaism. And now we may expect that hereafter not merely the doings of the Jewish fraternities, and the like, will be chronicled and reviewed in these pages; but that the Science of Judaism, that what is termed in German "*Wissenschaft des Judenthums*," will also receive some share of attention. May those who are so happily situated that they can remain *au courant* with the Jewish literature of the times, favor us from time to time with their reports on the progress made in the *Wissenschaft des Judenthums*, and with their notes on the new and important books belonging to the Department of Jewish Literature. May they occasionally review such books in these pages and give us their well-weighed opinions of them!

I.—A NEW HEBREW DICTIONARY.

To-day I make a commencement by calling the attention of the friends of Hebrew Lexicography to a new and at the same time a very interesting and instructive Hebrew Dictionary which is quite unique in its character. I speak of the book bearing the title הא-אוצר (*Ha-Otzar*), by S. J. Finn, now being published in Warsaw. Five numbers, each one of 80 pages, are before us, comprising the words from the letter א to the word גנב. In twenty numbers it is expected the work will be completed. The book is written throughout in an easy and flowing neo-hebraic language, and no exceedingly great Hebrew learning is required in order to be able to use this Dictionary.

But what is there so unique in this book? the reader may ask. Have we not already a very large number of Hebrew dictionaries? Have not very many such been written during the last thousand years? At no time was there a lack of this kind of literature, since the days when Yehudah ben Alan wrote his *Meor Enayim* and Yehudah Ibn Koreish composed his *Iggaron* down to the present days in whick Friedrich Delitzsch is preparing a new Hebrew dictionary—a dictionary which is looked for with great expectations by the friends of the Hebrew language. For, according to all what we learn of the forthcoming work by Delitzsch, it will, in all likelihood, mark a decided progress in Hebrew lexicography. What, then, is there so unique in Finn's book? Is it the circumstance that it is composed in Hebrew? But we have also *such* dictionaries, and quite a number of them.

My answer is: Finn is it who for the first time has undertaken

Digitized by Google

to give us a complete thesaurus of the *entire* Hebrew language; not merely of that part of the Hebrew, of which accidentally roots and stem have been preserved in the Old Testament, but also of those Hebrew words which are not found in the Bible. There are a great number of such Hebrew roots in the *Mishnah* and other cotemporary writings (the *Mechilta*, &c., the *Beraithoth*, &c,) and there are also a very large and extensive number of new formations derived from them as well as from the roots and stems already found in the Old Testament formations which were coming into common use in the Hebrew literature of the Jews in later ages Such new word formations are coined even in our present days by living Hebrew writers—often, it must be admitted, very clumsily and really very un-Hebrew—but often, also, very happy and quite in harmony with the genius of the Hebrew language.

And is Finn, thus far, not unique? All other Hebrew dictionaries—I speak only of *Hebrew* dictionaries, not of Aramaic, not of Talmudic dictionaries—all other Hebrew dictionaries gather in only the *Wortschatz* of the Hebrew Bible, and leave *Mishnah*, *Mechilta*, *Sifra*, *Sifrē*, &c., entirely unnoticed. Zunz, more than thirty years ago, in an article containing "*Wünsche für ein Wörterbuch der Hebräischen Sprache*," see his *Gesammelte Schriften* III, 14 *seq.*—declared this to be a great fault and neglect in our Hebrew dictionaries, and he thought it not more than right and proper that the lexicographers would also take notice of the Hebrew as it was spoken and written in times after the canonical books of the Bible had been collected. And now that what the Old Master was looking for thirty years ago, is in the course of becoming realized.

In looking over the numbers thus far published we found also that some words have been overlooked which should have found a place in this Thesaurus; that some definitions given by the author admit of corrections; that some other articles are defective in other regards, &c. We are rather in doubt whether the readers of the MENORAH would thank us if we were to go into learned details, therefore, this general notice may be sufficient; perhaps in some other place we may examine the work more in detail. But this remark we must repeat that despite of some shortcomings, Finn's book is highly commendable.

2.—HEBREW WORKS PUBLISHED BY THE "MEKITZĒ-NIRDAMIM" IN 1886.

Some twenty years ago a society for the publication of ancient valuable books was founded and called into life mainly by the efforts of the late L. Silberman, of Lyck, Prussia; to this society the name "*MeKitzē-Nirdamim*," (Awakeners of Those who Slumber) was given. Under the auspices of this literary association a considerable number of Hebrew books were published which otherwise would probably not have seen the light of the world, at least not so soon. But years ago the association ceased in their labors; the necessary support was not forthcoming, and so the further publication of Hebrew books had to stop.

Digitized by Google

Two years ago the association was revived, and it must be said right here in the beginning that its present management is in better hands than it was in Silberman's time; the present directors of the association and their co-laborers are more deserving the title of trained and true scholars than it was the case with the directors and managers in former times. Of course, this is given as nothing more than a general judgment, and there was also a few well equipped true scholars connected with the society *MeKitzé Nirdamim* in its first period. No rule is without an exception.

He, by whom at present the real work of association is done, is the Professor Dr. A. Berliner, of Berlin, a scholar well and favorably known amongst Hebrew students and among the friends of Jewish literature. His assistant managers are: D Günzburg, St. Petersburg; Joseph Derenbourg, Paris; S. H Halberstamm, Bielitz; A. Harkavy, St. Petersburg; M. Jastrow, Philadelphia; M. Ehrenreich, Rome; and D. Kaufmann, Budapest.

The books published in the second annual series have been sent recently to the members of the association. Let us briefly enumerate these books:

1. Of Lampronti's great Talmudical Cyclopædia (*Pachad Yitzchak*) another volume has appeared containing a considerable number of articles commencing with the letter *Shin*.

2. Of the "*Responses of the Geonim*," published after manuscripts in the Imperial Library in St. Petersburg, by *Dr. Harkavy*, a second instalment has been printed. The third and last instalment which will also contain introduction, notes and indexes by the learned editor, will appear in the coming year.

3. *Joseph Derenbourg*, published for the first time, the first part of *Maimuni's Commentary to the VI. Seder of the Mishnah* in its original Arabic, together with a new translation of the same into Hebrew by the erudite editor, our eminent J. Derenbourg.

4 *Tarshish*, a collection of very peculiar poems by *Moses ben Ezra*, edited for the first time by *D. Günzburg*. The concluding volume will be forthcoming next year.

5. *Kobhetz al Yad*, a collection of various smaller works and notes. To this collection contributions have been made by I. Lévy, D. Kaufmann, A Epstein, S. H. Halbertstamm, J. Reifmann and M. Steinschneider.

Though the annual subscription fees for members are but small (10 Mark—about $2.50) yet the number of American subscribers is very limited. In looking over the printed list of the members we find the names of not more than twenty-two associate members who reside in the United States. The number should be far larger.

3.—A New "Zeitschrift."

I may be permitted, before I conclude to-day, to add a few words of recommendation for a new Jewish Quarterly, viz., for the "*Zeitschrift für die Geschichte der Juden in Deutschland*," edited by Professor L. Geiger, of Berlin. Three numbers have thus far ap-

Digitized by Google

peared; the fourth number, which will conclude the first volume, may appear within a a few days.

The title expresses fully and adequately the aim and scope of this quarterly. Eminent scholars, Jews and non Jews, are among its contributors (Stobbe, Steinschneider, G. Wolf and others). The editor as mentioned above, is Prof. L. Geiger. He has been entrusted with the editorial management by the *Historical Commission*, who conduct in general the publication and assist the editor. This "Commission" consists of the Professor Stobbe, Leipzig; Watterback, Weizsäcker, Breslau; Geiger, Berlin; Bärwald, Frankfurt; Lazarus, Steinthal, Berlin; and Privy Councillor Kristeller, Berlin.

The *Zeitschrift* is perfectly free from all "*Tendenz*," that is from all preconceived notions and theories and all pre-established aims and considerations. It is, as it ought to be, perfectly "objective," and its only aim is to serve unbiassedly in the cause of historical truth.

Many interesting articles and larger publications are promised——by Dr. Egers the publication of a number of Hebrew poems, which have some reference to the history of the Jews in Germany, and explanations of the same; by Joel Müller a critical digest of the literature of the "Responses," in so far as these "Responses" throw light upon German-Jewish history; by others, the critical edition of the writings of Eliezer ben Nathan, of Efrayim from Bonn, &c., and of other writings dating from the times of the Crusades and valuable as documentary evidence for the history of their times., &c.

As this Quarterly, too, costs merely 8 Marks per annum it should receive a very large number of American subscribers. The number of subscribers should be large, however, not for this consideration alone, but also and mainly on account of the intrinsic and lasting value of the Quarterly, and for the further reason that a liberal-minded Jewish gentleman ought to tax himself somewhat in order to support and maintain *good* Jewish literature.

B. FELSENTHAL.

Political Situation of the Jews in Germany.—In the late electoral campaign in Germany, Prof. Dr. M. Lazarus signed the appeal of the committee "on reuniting all parties true to the Government," addressed to the members of the University.

And this has created an unheard of sensation among our German co-religionists

Prof. Lazarus was well-known as the able and strenuous combatant of German anti-semitism, and his present action of identifying himself with the septennate, and thereby supporting an anti-semitic candidate, to many seemed almost an act of treachery.

In view of this, now that the campaign excitement and passions are over, Prof. Dr. M. Lazarus regarded it his duty to publicly explain his motives as well as answer the charges against him.

But Prof. Lazarus is not only defensive, he bitterly attacks his

Digitized by Google

opponents and endeavors to teach his co-religionists political wisdom.

This he has sought to accomplish in his present pamphlet, entitled "An die Deutschen Juden" (to the German Israelites.) Berlin, 1887.

"What Means National?" Berlin, 1880, and "Our Standpoint," 1881—these two of his former writings Prof. Lazarus frequently refers to in this short apologetic publication, wherever he feels the command of entering into scientific and philosophical argumentation of his political views.

There is a general belief, strengthened by the anti-semites, that the German Israelites all belong to the progressive party, and it is generally corroborated by many of our co-religionists themselves who claim this as the only standpoint on which they can best combat the anti-semitic members of the Conservative Government party. Says Prof. Dr. Lazarus: "It was the highest time; something must have necessarily been done to actually destroy the common assertion shared both by friends and enemies, that Jew and German free-thinking were a synonym; that every Jew, as such, must adhere to the opposition. That every Jew throughout, and in every question, must vote with the Progressive party and the Centre against the Government, became a dogma, and to think and act against it should be regarded as political heresy and treachery to Judaism.

"It was still doubly commanding to break this false belief because of its encroachment upon the freedom of political opinion, the corner-stone of liberal thought.

"This freedom of political opinion I wish to reinstate to myself and to the Jews."

And then Prof Lazarus goes on to explain the position of the German Jews in politics. He shows that Judaism is a religious conception, but not a political one.

"I well perceive," Prof. Lazarus further says, "when a Jew says: 'I am not against the government in general, but I am simply against this government, because it offered the anti-semites so much opportunity to offend my honor, but he should not believe that all Jews think so and should do so; he should leave the other Jew at liberty to treat the government in his own way, especially when there are great political issues at stake.

"Should I not save people in fire or water accidents because anti-semites are also rescuing? Now, to save freedom of political persuasion from the ties of a tyrannical fanaticism I consider more important than that out of fire and water."

Patriotic feelings lead Prof. Lazarus so far as to make him say: "That had we even been aware that the candidates for election were anti-semites, we had to vote for them as long as we are convinced of their devotion to the government. But should one feel that the government would be best served by the German free-thinking opposition, he is justified, and even under moral obligation, to join the free-thinking voters."

Digitized by Google

Thus far—and if we had quoted many other passages from this small pamphlet we would find many sim lar thoughts—we might possibly sympathize with the author. We cannot, however, share with Prof. Lazarus, when, according to our views, he contradicts himself in saying that the German Israelites, as thankful sons, must join the peacefully-working, the positively active, the creating parties

"There is a necessity, indeed," Professor Lazarus goes on to say, "for the welfare of the whole, also of sharp contrasts; we do not need criticism, we need the opposition.

But not just we should undertake the business of criticism and of the opposition. We should belong to the creating (gestaltenden) elements, not to the discontented (verdrossene)."

Prof. Lazarus should certainly be left at liberty to have his own discretion as to the verdict of who are the creating elements of Germany, but this is only a "standpoint;" and many of the Professor's opponents would certainly also claim that they belong and support the creating party, while their "standpoint" would appear different.

Then quoting Prof. Lazarus' view as to the Jewish question in Germany: "The Jewish question is not a question of the Jews, but of the Germans; it is a question whether they (Germans) should belong to the civilized nations of Europe or fall back to medieval barbarism."

We are really taken by surprise how, looking from this standpoint, we should come to the conclusion that the Jews must be thankful to the German Government for its non-medieval treatment of its citizens, the Jews, who "who have with an unprecedented energy obtained the inseparable unity with the 'German spirit.'"

Commenting upon Prof. Lazarus' work, the *Vossische Zeitung*, in a leading article says:

"Either is his (Lazarus), standpoint a purely individual—the standpoint of a scientist far away from the economic life, of a man whom the daily cares of the world concern too little to put himself into the passionate ebullition; or he should desist from recommending this standpoint to those whose life interests are concerned by every project of a new protective tariff, a new monopoly, of a new encroachment upon the freedom of trade.

"Or his standpoint is of a general concern—a categorical imperative. Then it concerns the Christians as well as the Jews, in which case we should fight every criticism, every opposition and agitation as a pernicious element.

The author entirely fails in his endeavor to prove that the Jews must keep aloof from the German free-thinking party, even should it be admitted that the latter have a right of existence."

We cannot, however, better close this brief review than by quoting the final eloquent words of Prof. Lazarus himself, substituting the epithet German by the universal Cosmos, to whom the Jews belong, and for whose welfare they do always work wherever they are and however they are treated:

"The language of the country we live in is our mother-tongue.

Digitized by Google

As we speak and think, as our heart and mind are filled and developed by the art and science of our country, so should we work to the utmost of our abilities for the welfare of our country; the greatness, highness and might of the nation we are living with is the highest aspiration of our soul."

Academy of Design.—The art critic of *Town Topics* (April 7, has the following, which will be found interesting to some of our readers: "I have always had a fancy to hunt out new names in the picture shows of the day. In the Salon, in the exhibitions of London, and in those of New York, I have noticed the commencement of not a few reputations. The present exhibition of the Academy of Design is not specially rich in these, I must say. The most striking exhibit over a fresh signature is "The Panoply of War," by Captain Alfred Thompson, a superb study of Persian battle trophies, surmounted by a helmeted skull with a curved dagger held crosswise in its fleshless jaws. The conceit is fantastically ghastly. Its execution is of the first order. The canvas is a mass of splendid color, a gleam with metallic lustres and flashes of light. Here, also, is Mr. George D. M. Peixotto, with a powerful and vivid portrait of an old gentleman, Mr. Thomas Burnham. It is, albeit a portrait, one of the pictures of the display. Beside it the flat and lifeless portraits, by Munkacsy, of Dr. McCosh and Mr Marquand, are mere dexterous sketches Mr. Horatio Walker's is almost a new hand on these walls. Mr. Walker has found in Acadia a pastoral worthy of Holland. and rendered it with the delicacy, the feeling and the freedom that have set modern Dutch art in the first rank. Is it not about time some one of our diligent collectors found Mr. Walker out? Mrs. Ada C. Murphy, who is the wife of the landscape painter, J. Francis Murphy, shows a couple of little studies strongly impressed with the influence of her husband, who is doubtless also her master, in an artistic sense, but full of evidence of native talent and feeling."

The Anglo-Jewish Historical Exhibition opened in London, at Albert Hall, with a Supplementary Exposition at South Kensington Museum, on the 4th ultimo. Mr. Frederick D. Mocatta, President of the Committee, inaugurated the display by a reception and soiree, two evenings previous, at Albert Hall, for which 3,000 invitations were issued. The *Jewish World* says: At the main exhibition at the Albert Hall quite half of the space is occupied with Jewish Ecclesiastical Art. This section is exceedingly picturesque, and will perhaps prove more popular than the Historical Department, where almost a necessary condition of eligibility for the exhibits is a certain antique mustiness. Most of the large synagogues in the country have contributed from their stores of synagogue plate to the Ecclesiastical Art Section, which is further enriched by the famous Strauss

Digitized by Google

collection from Paris, the collection of Mr. Reuben Sassoon, the Samaritan MSS. belonging to the Earl of Crawford, and a fine selection of Hebrew MSS. from the Library of Sir Julian Goldsmid, etc. There is also a department devoted to antiquities, in which a remarkable model of the Temple is shown, together with a large number of interesting exhibits from the Palestine Exploration Fund.

Scholars will, of course, be most interested in the department illustrating Anglo-Jewish history, calculated as it is to make a real and exact contribution to the stock of general knowledge. Among the principal exhibits are the famous Bodleian bowl, which is generally accepted as belonging to the pre-expulsion period ; a large collection of *Shtaroth* from Westminster Abbey and other public institutions, the oldest documents of their kind, and the largest collection in Europe; the salver presented to Cromwell by Menasseh Ben Israel; a curious Sabbath lamp, which belonged to Chacham Sasportas, the first Chief Rabbi of England after the return ; an important selection of historical works from the unique library of the late Rev. A. L. Green; the Newman collection of engraved portraits; several very fine collections of autograph letters, and a number of interesting relics of the late Chief Rabbi, Dr. Solomon Herschell and of Sir Moses Montefiore. The painted portraits form a large series, and there is scarcely a person of importance in Anglo-Jewish history, since 1657, who is not represented. With very few exceptions, portraits of all the Chachamim of Bevis Marks are shown, and a complete set of the Ashkenazi Chief Rabbis. An interesting portrait is that of Dr. Ferdinando Mendes, the Physician to King Charles II. and Catherine of Braganza. There is also a fine group of the Goldsmid family by Beachey; a small study of the Montefiore family, showing Sir Moses, a boy of ten, and Mr. B. S. Marks' portrait of Lord Rothschild taking the oath in the House of Peers. In the Historic Section the collection of documents, portraits and relics is remarkable. Indeed, everything of importance which may tend to place the history of the English Jews in a clear light has been gathered together at the Albert Hall and at the Supplementary Exhibitions which are to be held simultaneously at the British Museum and Record Office.

American Israelites visiting Europe this season will have a rare treat in store in viewing this remarkable exhibition.

Gabriel Max, the genre painter, was born in Prague, August 25th, 1840. He is the son of the sculptor, Joseph Max, and was a pupil of the Prague Academy under Engerth, in 1854–58; then for three years of the Vienna Academy, under Blaas, finally of Piloty, in Munich, 1863–67. His first exhibition was in 1867, and he has since acquired a steadily increasing fame. He is an Honorable Member of the Munich Academy, in which he was professor from 1879–83, and has received gold medals in Berlin and Munich. A well-known painting by this artist is the "Head of Christ," which seen

Digitized by Google

from a distance appears to have the eyes open, but a view nearer to the canvas shows them closed.

The *American Silk Journal*, edited and published by Byron Rose, 93 Duane Street, continues to be the same bright and sparkling periodical, and as brimful of news of the manufacturing and commercial silk world as at any time in the past. The *Journal* has steadily grown in favor, until it has become recognized as an authority in silk matters, both from an economic as well as literary and artistic standpoint. No silk merchant can do without this excellent monthly, which, like the MENORAH, is printed at the ridiculously low subscription price of $2.00 per year.

Emile Renouf, the inimitable marine painter, has returned to Paris, where he is not only a member of the jury, but will be an exhibitor at this year's Salon. It was only at the close of his recent visit to New York that his fine talent was properly appreciated, and which will surely lead to his recall here this autumn. Renouf, unlike many of his countrymen, is exceedingly modest and retiring in manner, having none of the conceit and "push" which characterize many Frenchmen.

BOOK REVIEWS.

Hymns and Anthems, adapted for Jewish worship. By Rabbi Dr. Gottheil. New York, 1887.

Dr. Gottheil, in this handsome little volume, has exhibited keen poetic feeling, refined taste and a catholicity of spirit which would be still more remarkable if the hymns had not been selected expressly for Jewish worship. With few and rare exceptions they are as much adapted to the Christian as the Jewish choir, and, in fact, with the exception of six or seven Jewish authors, are all composed by Christian writers. We should have no special fault to find with this in a book of general hymns and sacred poems, but appearing as the selection of an Israelite they would seem to convey the idea to the general reader of a poverty in Jewish rhythmical composition, such as we take leave to believe does not exist. The anthems, on the contrary, are admirably chosen, and confirm the impression of Dr. Gottheil's deep religious fervor and fine poetic conception. As a whole it is pleasant to have such a book at hand, and its frequent perusal cannot but exalt the spirit.

Digitized by Google

Hamlet. Translated into the Rouman by Dr Adolph Stern, Bucharest. Press of Cucu.

Dr. Stern has revealed to us in this admirable translation many beauties in the Rouman language. He has, in fact, been a Columbus to the Rouman. He has discovered to the world hitherto unknown sources of a language supposed to be poverty-stricken. The felicities of expression, the nice shades of meaning, and the power of the tongue for passionate feeling, are brought out as they have never before been presented, unless in the translations of Titus Majoresco from the German. But here we have the English tongue rendered into the Rouman. Shakespeare, the greatest of all the masters of English poetry, is made familiar to the descendants of Trajan, and through one of his noblest works. "Hamlet" continues to exercise the same hold upon the heart and upon the imagination as at any time since it first became known, and Dr. Stern has portrayed the noble Dane with a power, a depth of feeling and an eloquence which must exercise a profound influence upon the growing intellectual thought of Roumania. Dr. Stern precedes his translation with an introductory essay, in which he presents an admirable analysis of the play, and proves conclusively his mastery of the English language as well as of Shakespeare's wondrous creation of character. With the exception of Mr. P. Carp's translation of Othello—an admirable effort—this is the only play of Shakespeare which has been rendered into the Rouman. Dr. Stern dedicates his beautiful labor to the reigning Queen Elizabeth, whose appreciation of the English dates from her childhood, her Majesty having had from infancy an English nurse, and thus acquired the language even before her mother-tongue.

King Charles could not do a more gracious act than to confer upon the gifted translator the order of the Star of Roumania for this beautiful contribution to the Roumanian.

We have received from the publishers, Messrs. M. Berkowitz & Co, Kansas city, Rabbi Joseph Krauskopf's series of lectures on "Evolution and Judaism"; also, by the same author, "The Jews and Moors in Spain." A critical review of these publications, which are very handsomely printed, will be given in a future number.

Mr. Seligman's *Epoch*, like good wine, improves with age, and is steadily growing in favor. It has a happy, independent way of putting things before the public mind, and if it continues to improve as it has with each successive issue it will not be very long in becoming one of the established favorites among the weeklies.

Symptome der Anti-Semitischen Geister-Krankheit is the title of a pamplet, by Dr. K. Lippe, printed at Jassy, Roumania, and received

Digitized by Google

as we go to press. The learned author is just the man to deal with this subject, and we shall be happy to give extracts from his masterly treatise.

Town Topics is a lively and brilliant review, which refreshes society circles and keeps the mind of the fashionable world continually on the *qui-vive*. It is cleverly written, strikes right and left, bold, brave, independent and keenly enjoyable. It is a favorite.

Notes and Queries, for April, is brighter than ever, and full of interesting matter.

Affairs of the Order

District Grand Lodge No. 1.—The report of the proceedings of the 35th annual session of District Grand Lodge No. 1, which District comprises the New England States and the State of New York, with the reports of the Officers, General and Standing Committees, and a statistical table for the year, 1886, is a document of 180 pages. It is not a particularly happy showing of the work of the Order during the past year, not very encouraging as a whole ; yet, possessing sufficient interest to render the possession of at least a single copy by each and every member a matter of some moment, instead of which we learn that only three copies were sent to each Lodge of the District. This could easily have been otherwise, had the MENORAH been charged with the duty of publishing and have brought it out in several numbers, and in addition, printing it as a whole for official purposes. This course would have secured its perusal by thousands of members, whereas, it is doubtful now, if it will be read by a hundred. It is to be hoped a wiser course will be adopted hereafter. The condition of the District as far as its affairs are concerned are satisfactory; peace and harmony have prevailed, and a somewhat livelier spirit is manifested for more active work in the future.

The Endowment question being settled, the fund is placed on a more solid foundation. In consequence of the increase of the assessment to $18.00 per annum, a large number of members withdrew, the total decrease being 593. At the same time the capital of lodges decreased $6,700.38, but the disbursements for endowments, benefits and donations over 1885 were $16,562.42, which readily explains the decrease. The Widows' and Orphans' Reserve Fund amounts to $261,969.59, invested in bonds and mortgages, being an increase during the year of $52,431.96. The total amount paid for

Digitized by Google

benefits, burial expenses, endowments and dues, and for maintaining the Home at Yonkers during the year was $190,344.55. The general fund remains unchanged, except that $1,000 were placed to the credit of the Sinking Fund of the Home, which now amounts to $3,025, safely invested. The Home for Aged and Infirm at Yonkers contains forty-six inmates, thirty males and sixteen females; fifteen were admitted during the year, one placed in an insane asylum, two were withdrawn; increase during the year of twelve inmates.

The Maimonides Library continues its excellent work, 4,925 readers are recorded with a circulation of over 50,000 volumes during the year. 874 new volumes were added during 1886, making the total number of volumes 27,714.

David Einhorn Lodge No. 253, of Rochester, surrendered its charter; Harlem Lodge No. 254 consolidated with Lebanon Lodge No. 9, and Centennial Lodge No. 255, with Arnon No. 39. The consolidations of feeble lodges is recommended.

Analyzing the statistical table we find that the aggregate funds of the lodges amount in round figures to $215,175; aggregate receipts during the year, $222,660; paid to widows and orphans, $255,921; towards support of the Home, $12,891; benefits to 517 sick members, $14,136; for burial expenses, $4,026; donations to distressed brothers, $3,837; dues to Constitution Grand Grand Lodge, $1,209; dues to District Grand Lodge, $4,813; total disbursements during the year, $230,287; there are seventy-three lodges in the District with 8,343 contributing members.

Brother William A. Gans, Chairman of the Committee on Intellectual Advancement, presents an able report, in which he shows that the course so auspicuously begun the previous year, for holding entertainments of a social character at which literary and musical exercises form a prominent feature, have been still further carried out, and have been productive of large gatherings of members, their families and friends. The public installation of officers has also attracted large gatherings. He strongly recommends that the Maimonides Library become a public library, and thereby avail itself of the new State law, which authorizes the Board of Estimate and Apportionment to pay the sum of $5,000 from the funds of the city in which such library is located, or to any such library circulating 75,000 volumes in the year preceding its application to the Board for the above amount, and a further sum of $5,000 for each additional 100,000 so circulated, such libraries to be free to the public. He believes the time has come when the Maimonides Library may be thrown open to the public. "To do this," he says, "would be placing the District in line with our two great charities, the Mount Sinai Hospital and the Montefiore Home, both of which though directed, managed and controlled exclusively by co-religionists, are unsectarian in their character.

"It is enough that you suffer, and they lay the healing ointment upon the bodily ailments of the Jew, the Christian and the infidel alike. Let us then pursue the same course; let us supply the mental

Digitized by Google

pabulum to those who crave for it without regard to creed.

The District cannot suffer in taking this step; the members will gain in common with others by its adoption. The diffusion of knowledge and enlightenment, which is so proudly heralded in the preamble reciting the objects of the Order, will here have an opportunity of practically exemplifying its meaning, and will not be pointed at, as it has hitherto so often been, as an empty phrase."

Brother Thalmessinger presents a memoranda opposing this proposition on moral and legal grounds, which appear very forcible, but do not seem to be unanswerable. The subject, however, has been postponed for a year, and should receive the most careful consideration of members.

From the official report of Brother S. Hamburger, the able Secretary of the District, and from other data, the MENORAH is able to present the following summary of the state and condition of each Lodge during the year:

New York Lodge No. 1, located in the City of New York, founded Nov. 1st, 1843. This is the oldest Lodge in the Order, and still works in the German language. It has 181 members and aggregate Lodge funds of $6,943. During the year its total receipts were $4,797.73; disbursements, $5,021. It reinstated one brother; lost one by withdrawal, suspended four; paid benefits to seventeen sick brothers, $540; lost by death, five, for whose burial it paid $144, and to whose widows and orphans $3,349.50. To the Home at Yonkers it contributed $277.51; to the Grand Lodge, $103.60, and to the Constitution Grand Lodge, $27.15. It relieved three of its own and four members of sister lodges with $97.50; it contributed $10.00 to the Charleston earthquake fund.

Compared with 1885, New York Lodge has lost somewhat in members and funds, but is still in a fairly prosperous condition. The Lodge meets on the second Sunday of each month. Brother A. Bamberger is Secretary.

Zion Lodge No. 2, located in New York city, was installed Feb. 15, 1844, has 211 members; initiated three, suspended seven, had seventeen sick, to whom it paid $403; assisted members of sister lodges with $70.00, lost five by death, whose burial expenses cost $210, and paid to widows and orphans $3,867. It contributed $321 to the Home. Its aggregate receipts were $6,124.70; disbursments, $5,802.11. Its aggregate funds amount to $22,574 23. Paid to Constitution Grand Lodge, $31.65; District Grand Lodge, $119.84.

Zion Lodge is one of the banner lodges, and has some highly intelligent members, foremost in all good works within and without the Order. It contributed $50 to the Charleston earthquake sufferers, and is never behind in similar deeds of mercy.

Saron Lodge No. 3, New York city, founded May 9th, 1860, has 115 members, initiated two, reinstated three, suspended six, had

Digitized by Google

seventeen sick members, to whom it paid $403; donated $28 to distressed brothers; lost one by death, whose burial expenses cost $30; paid to widows and orphans, $2,083.50; to Charleston sufferers, $10; contributed to Home, $174.36; aggregate receipts, $2,973.51. disbursments, $3,345.16; aggregate funds, $1,873.54; paid Constitution Grand Lodge, $17.25; District Grand Lodge, $65.10. Saron Lodge meets at 240 Broome Street, 1st and 3d Wednesday. Its Secretary is Bro. I. Bielefeld.

[To be Continued.]

The Order in Germany.—All the lodges of the B. B. have celebrated the 90th birth day of the German Emperor.

The following lodges are especially to be mentioned for the grandeur of the festivals: Lessing at Breslau; Friedens at Ratibor; Humanitas, Gleiwitz; Berthold Auerbach, Berlin; Concordia, Katowitz; Eger, Ostrowo; Caritas, Krensburg; Mamreh, Beuthen, and Mendelssohn at Magdeburg.—"Such patriotic festivals," says the "*Israelitisch Woohenschrift*" are well fitting to strengthen love and faithfulness to the illustrious Ruling Court. Fostering of patriotic feelings is one of the fundamental principles of the Order."

Hamburg.—The youngest in the rank of the Order, Henry Jones Lodge, is making very successful steps in its progressive development. Notwithstanding the obstacles rendered on account of the widespread masonic fraternity in this city, the membership of the lodge is growing very considerably. The success seems to be mainly due to the earnest work in the sphere of its endeavors to promote the intellectual standing of its members, which work is carried on so energetically and wisely; at every Lodge meeting a report on *Jewish Affairs*, compiled from different Jewish periodiclas, is read. Brother Deutschlander has undertaken this function and has ably succeeded to make the report exceedingly interesting to his hearers. Brother Gustav Tuch delivered a lecture on "Practical Judaism." The speaker analyzed the different social tendencies and theories engaging the mind of our age; and while touching on the theories of other confessions, he drew a parallel between these and the social ethical significance of Judaism; here he explained the standpoint of Judaism as regards its services to society in the present and future. From beginning to end the interesting lecture, based on strict scientific arguments, elicited the full attention of the audience and was highly appreciated and applauded at the close.

Gleiwitz.—Humanitas Lodge has lately manifested a special proof of how far our principle of Brotherly Love has penetrated into the hearts of our brethren.

On March 10, the lodge gave a banquet to one of its members, Bro. Buchen the architect, who had built the hall of the lodge and who was leaving his place of residence for another country. Bros. Dr. Hiller and Rund addressed the departing Bro. Buchen and

Digitized by Google

presented him in behalf of the lodge with an elegant drinking-horn bearing an appropriate dedication. Bro. B. was deeply touched by these evidences of esteem and fraternal love and with tearful eyes expressed his deep acknowldgement. The Ex-Grand President of District Grand Lodge No 8, Bro. Julius Fenchel added to the attractions of the charming occasion by his presence.

Dresden.—On the 23d of March, Rev. Dr. Winter delivered a very interesting lecture before Fraternitas Lodge. His subject was: "The Re-settlement of the Jews in England" (Die Wieder ansiedlung der Juden in England). A very large audience of members and their friends was p.esent and expressed high appreciation to the lecturer as well as of their sympathy to the subject.

Convention of New Orleans Lodges—No Instructions to Delegates.—A joint meeting of the four lodges of New Orleans was held in that city on the 17th, all, at Grunewa'd Hall. It was called in view of the coming annual convention of District No. 7 to be held in Memphis this month, at which the vital question of Endowment will, it is hoped, be finally, satisfactorily and wisely settled.

The District now pay $1,500 to deceased brothers' widows or heirs, and on the present basis of assessment and reserve fund it is contended that this sum is excessive and dangerous, or rather that it will become so if persisted in. Able letters on the subject (holding this view) were read from Brothers Isidor Bush and Leo N. Levi and another opposed and viewing the present law as safe, from Bro. Sam'l Hirsch of Memphis. After speeches *pro* and *con* had been delivered by Bros. Simon Cohn, Joseph Magner, C. M. Levy, Ferdinand Marks, Morris Newman, Louis Kaiser, Rev. I. Leucht, Gabriel Kahn, Isidore Newman and others, it was decided that the delegates to the Memphis Convention should go uninstructed using their best judgment in the matter.

Bro. Leo N. Levi proposed the following changes in the present system:

1st. The immediate consolidation of the reserve fund now in the hands of lodges.

2d. That the Endowment for the present and future be fixed at $1,000.

3d. That the assessment be fixed at $5 per quarter.

4th. hat when any member reaches the age of seventy-five he should no longer be required to pay any assessment.

Brother Bush writes in his usual admirable and convincing style, and we regret we cannot give the whole of his letter, the pertinent part is, however, embraced in the following extract which will be read with general interest:

"The time is past when the people were so blindly credulous as to believe that by some hocus-pocus, adding continually many new young members, and a large number of old members withdrawing,

Digitized by Google

$1,500 could be paid with only $5 or $5 50 per quarter, and no one paying in, if he lived to the age of seventy-five even, more than half that amount. The promise was made from ignorance, and is no binding promise, *Ki l'chol ho'om bishgogo* (as we say on *Yom Kippur*); but if your Grand Lodge were to make this promise now, it would be a fraud and must end in repudiation and disgrace to the Order and our people. The table is so arranged that its figures can be easily understood and examined. And the result is shown in the following recapitulation.

Membership:—In forty-five years out of the present membership, will have died, 1,371; lapsed, withdrawn and suspended (1½ per cent annually); 728; surviving (at ages averaging seventy-six years), 151. Total 2,250.

Financial: Available reserve fund now on hand. for investment, $60,000; amount realized from assessment at $20, $954,180; amount realized from interest at 5 per cent per annum, $516,169. Receipts—Total, $1,530,349. Paid 1371 death claims, at $1000, $1,371,000.

Balance at the end of forty-fifth year, $159,348, with 151 old members to provide for; leaving a small margin for contingencies."

Abarbanel Lodge No. 92, celebrated on the 3d ultimo at Adelphi Hall the twentieth anniversary of its existence by an entertainment, banquet and ball.

The literary and musical programme was admirably executed, Miss S. Cantor and Miss Eleda De Meza particularly eliciting applause by their recitations and songs.

Ex-Consul Peixotto welcomed in the name of the Lodge the guests, and gave a brief history of its career, expressing the hope that it would still continue to fulfil the aspirations originally conceived in its behalf.

At the banquet table speeches were made by First Vice-President Brother Morris Adler of the Grand Lodge; Brother William A. Gans of the General Committee; Bro. S. M. Lion, Chairman of the Entertainment Committee and others.

Brother Newberger, President D. G. L. No. I., sent a telegram from Providence, Rhode Island, with his congratulations, expressing regret that a previous appointment in that city to Haggai Lodge prevented him from participating in the festivities.

The ball was a brilliant affair. The floor-managers Messrs. Bierhof, Frankel, Felix Solomon and Henry Lewis acquitting themselves with ability. Brother Joseph Davis, President of the Lodge, deserves great credit for the admirable manner in which the whole affair was conducted.

Hon. Simon Wolf, of Washington, addressed a large audience at Savannah, Ga., on the 29th March, in behalf of the new B'nē B'rīth Home to be erected at Atlanta.

Digitized by Google

The eloquent speaker was introduced by the Rev. I. P. Mendes, and among other things, said :

The institution is to be erected by the members of District No. 5 of the I. O. B. B. All Jews, whether they belong to the Order or not, will be cared for at the institution if in need of attention.

No matter how much they may differ with others as to modes of worship, the Israelites are always ready to care for institutions which elevate and educate the human race.

The fund for the institution was started eleven years ago. The yearly amount to be contributed by the members was to be not less than 50c., or more than $1. In that way, and by voluntary contributions, a maintenance fund of nearly $30,000 was accumulated. This sum was safely invested. Each year children were sent to Baltimore and cared for by the Order, $150 a year being paid for each child. At present this district is supporting twenty children, and three more are soon to be added. Of Savannah's liberality, Mr. Wolf stated that the ladies and gentlemen of this city have contributed more, and have shown more active interest in the work than those of any other city in the district. Reference was made to the institutions which the Order has in Philadelphia, New York, Cleveland and New Orleans. Atlanta gets the new Home, because she agreed to give more toward it. Washington and Richmond were her competitors.

The speaker wanted to have it located in Washington, but he said that he yielded gracefully and cheerfully to the Gate City of the South. He had no fears for the mothers of Israel, for they are always ready to assist in such a cause, and he urged the men to take a deep interest in the movement, and not let the work lack funds. Of that he had no fears either. The building is to be commodious and comfortably furnished. Such institutions are monuments to the race, and are powerful factors in wiping out the ignorance and bigotry of those who do not know the Jew in his true light.

The address was well prepared, and interested the hearers deeply. While Mr. Wolf did not seek to make an impression by an eloquent speech, it contained a number of eloquent passages, which were effectively delivered,

The zeal of Mr. E. A. Weil, of Savannah, and the other members of the Board of Trustees appointed by the Grand Lodge I. O. B. B., was highly commended. The speech was greeted with hearty applause.

Among those seated back of the speaker were : Rabbi Mendes, Mr. E. A. Weil, Emile Newman, Esq., Mr. S. E. Byck, Mr. Jacob Gardner, Mr. Aaron Haas and Mr. Brandt, of Atlanta, and Hon. William Lowenstein, of Richmond.

Hon. Mr. Lowenstein, Mr. Brandt and others were introduced and made short speeches on the aim of the new institution.

Brother Joseph E. Newburger, President of the District Grand Lodge No. 1, accompanied by Brothers Vice-Presidents M. Adler

Digitized by Google

and Myer Hellman, and Brothers Gans and Walter of the General Committee, paid an official visit to Washington Irving Lodge on the 12th ult.

The addresses of the several speakers evoked much enthusiasm, and we are happy to hear that this excellent lodge, which numbers some of the very ablest members, is once more on the road to active and zealous work.

Haggai Lodge of Providence, on the occasion of an official visit by Brother Newburger, President of the District, showed great interest in the work of the Order, and as we learn from Brother N. is in a prosperous condition, having upwards of seventy-five contributing members.

A correspondent from Alexandria, Egypt, writes that steps are being taken to institute a B'nē B'rīth Lodge in that city, as in Cairo, to work in the Arabic language. This would be an extraordinary event if it could be carried out, and would no doubt be the commencement of a great movement for the progress of our brethren in the East.

Chronicles of the Day

The annual meeting of the Hebrew Benevolent and Orphan Asylum Society, held at the Orphan Asylum on the 24th ult., was largely attended, and was a representative assembly of the Israelites of the metropolis. The sixty-fourth annual report of the President and the several committees, as well as of the Superintendent, Dr. H. Baar, presented a most gratifying showing of the work of the society during the past year.

Jesse Seligman, Esq., the President, in his admirable report, stated that the present number of inmates is 489, of whom 277 are boys and 212 girls, whose nativity represented 302 from New York, 22 from other States, and 165 from foreign countries. The health of the children had generally been very good, their education is satisfactorily progressing, their moral, intellectual and industrial training most satisfactory. The financial exhibit shows the total receipts from all sources to have been $125,875.86.

Disbursements were made as follows: For maintenance of the asylum, $60,546.31; United Hebrew Charities, $20,000; Hebrew Technical Institute, $3,000; other outlays, $976.60—making a total of $84.522.91. Receipts over expenses, $41,352.95, besides bonds donated, $2,000. For the ensuing year the following appropriations were made: For the support of the Orphan Asylum, $60,000; United

Digitized by Google

Hebrew Charities, $20,000; Contingent expenses, $17,000; Hebrew Technical Institute, $3,000.

Legacies were received to the amount of $2,600 during the year.

The following officers were elected for the ensuing year: President, Jesse Seligman; Vice-President, Henry Rice; Treasurer, Abraham Wolf; and to fill vacancies in Board of Trustees: Julian Nathan, Edward Lauterbach, Henry S. Allen, J. W. Riglander, Isaac Hendricks, N. Necarsulmer. A vote of thanks was passed to the Board.

Jewish Immigrants' Protective Society.—A general meeting of the society was called for Sunday evening, April 17th, at the vestry-room of the Rivington Street Synagogue, and as it had been intended, all the different down-town congregations were represented at the meeting. The room was well filled, and unusual enthusiasm could have been read on the faces of the impatient audience. The President, Coroner Ferd. Levy, in opening the meeting, addressed himself to the audience whom he thought to be immigrants, having arrived here about ten or fifteen years ago, and as such he could certainly expect their sympathy with the cause of the society. He emphasized that the society had no inclination whatever to encourage immigration, but that its sole object was to protect the helpless and new-comers from maltreatment and swindlers. He mentioned that though the society numbers a membership of over 500, whose contributions vary from one dollar and upwards, the actual work was in the hands of but a few gentlemen, who had in the year past succeeded in rendering assistance to 1,800 immigrants out of the limited resources of $1,600. Active and generous men should aid morally and materially these efforts. Dr. Lieberman was then introduced. He made an eloquent appeal in behalf of the society. Some of his utterances deserve special notice:

"The disappointment the emigrant meets with when arriving in this country is sufficient to discourage further imprudent immigration; and the fact of the necessity of the existence of a society like ours for the protection of helpless immigrants should go far to prevent heedless persons from coming hither." Alluding to the festival of Passover which had just closed, he said: "The memory of our deliverance from Egyptian slavery should also recall that we Jews do not accept 'Amoni' and 'Moav,' not from any spirit of revenge, but because we should rely upon our own efforts and 'feed the hungry and give drink to the thirsty,' because our fathers were bondsmen in Egypt, and surely no one could appeal to our sympathies, more pathetically, than the homeless, houseless exile and stranger." Dr. Lieberman, who is a graduate of the Medical Department of the University of New York, concluded by offering his professional services gratuitously to the society. School-Inspector Benjamin Blumenthal eloquently urged the necessity of missionary work among the new-comers. They must be Americanized as speedily as pos-

Digitized by Google

sible, acquire a knowledge of the language, laws and customs, and made self-supporting and independent. Subscriptions to the amount of $150 were pledged, and a committee appointed to secure further aid.

Continuing the sketches of Mr. Isaac Markens, the first of which were given in the April number of the MENORAH, we find the following brief synopsis of some of our leading Jewish bankers:

"It is only within the past twenty-five years that the Hebrews have been accumulating such wealth as to attract attention in every department in which they are engaged. A review of the career of those who attained a commanding position in the commercial world shows that most of them started in life in a modest way, the majority being penniless and friendless on landing on these shores. Most of the successful Hebrew bankers and merchants of this country are self-made men. Patient labor and application has brought them to the top round of the ladder, and to-day the American Hebrews are foremost in every department of commercial activity. The eight Seligman brothers came from Bavaria with no capital but push and brains. They worked hard for years, and were often perplexed how to make both ends meet. They did not disdain to carry a pack on their back when necessary, and in the course of time succeeded in building up a clothing business, in which trade they were engaged on the breaking out of the civil war in 1861. In this they met with such success that they determined to embark in the banking business. In a short while they opened branches in London, Paris, Frankfort, San Francisco and New Orleans. Mainly through their instrumentality the government was enabled at the beginning of the war to place large amounts of bonds in the German markets. They were subsequently appointed fiscal agents of the government in Europe, and are to-day recognized among the great bankers of the world. They rank with the most public-spirited of our Hebrew citizens, are enterprising, charitable, and identified with all the great questions which enlist the sympathy and support of the best people in the community.

The late Philip Heidelbach presents another illustration of what can be accomplished by perseverance and industry. He, too, was a native of Bavaria, coming to this country a poor lad and engaging for some time in trading as a peddler. In the course time he embarked in the clothing trade at Cincinnati, and eventually controlled the largest manufactory in the Mississippi valley. As founder of the firm of Heidelbach, Seasongood & Co., of which Lewis Seasongood & Co. are the successors, he was well-known throughout the country, and is remembered as one of the promoters of the Cincinnati Southern Railroad and a member of the firm of Espy, Heidelbach & Co., of the Queen City.

Lazarus Hallgarten, who founded the firm of Hallgarten & Hertzfeld, now known as Hallgarten & Co., had very little means when he came to this country in 1849. His first occupation was as

Digitized by Google

note and exchange broker. This yielded a moderate income and enabled him to start as a banker. He and two sons associated in the business have passed away within a brief period, one of them, Adolph Hallgarten, who recently died in Germany, bequeathing $100,000 to various charitable institutions in this city, aside from liberal bequests to Hebrew societies.

The Wormser brothers made their money in Sacramento, Cal. Like many others of their race they also were engaged in the clothing business in their early days. In that city they were large purchasers of city scrip, which increased their already handsome capital, and resulted in their removal to this city.

Mayer and Emanuel Lehman, who are at the head of the cotton trade in this city, are natives of Wartzburg, Germany. Their mercantile career started at Montgomery, Ala., where they were storekeepers.

The Bernheimers were almost penniless on coming to America They commenced as peddlers, entered in the clothing business and retired with millions after taking a prominent part in the organization of the Central National Bank, in which they are still largely interested.

Adolph Scheftel who is at the head of one of the largest leather establishments in the city, and who ranks among our millionaires, started business with a capital of 300 francs twenty years ago.

Solomon Loeb, of the banking firm of Kuhn, Loeb & Co., was a poor boy when he left his home in the Old World. He is now one of the leading millionaires of the metropolis, and is the owner of a single piece of real estate valued at $1,500,000. Since his retirement from active business, his son in-law, Jacob H. Schiff, has succeeded him. Mr. Schiff came to New York at the age of eighteen, after a three years' training in the banking house of Moritz B. Goldschmidt, of Frankfort-on-the-Main. He brought with him very little but brains and pluck, and is now one of the biggest bankers in America. Mr. Schiff is afflicted with a hobby which, unfortunately, does not engross the mind of other millionaires. The problem of how to advantageously dispose of a large portion of his annual income engages much of his attention. His lavish expenditures in every field where money is likely to improve the mental, moral and physical condition of his fellowmen, have earned for him the title of the Montefiore of New York. He is unquestionably the most popular and beloved Hebrew in this city.

Further of these sketches will be given in future numbers.

The Hebrew Technical Institute is at length comfortably installed in its new quarters, and under the superintendence of its accomplished and gifted Director, Henry M. Leipziger, Esq., is now on the high road to success. During the year sixteen of its pupils have graduated, and been placed in leading manufacturing and mechanical establishments, and at present eighty-five elèves are pursuing their studies.

Digitized by Google

The Ladies' Auxiliary Society, of whom Mrs. Lewis May is President, daily provides warm meals for the boys, and J. H. Hoffman, Esq., the President of the Institute, continues unwearied in his noble efforts in its behalf.

The closing exercises being the 13th anniversary and entertainment of the Young Men's Hebrew Association of New York, was held at Chickering Hall, Wednesday evening, April 20.

The programme consisted of music, vocal and literary exercises. Miss Carlotta Pinner and Miss Baruch elicited much applause, the former by her singing, and the latter by her recitals on the piano. Mr. Charles Roberts, Jr's. reading "On the Rappahannock," with organ accompaniment, was most effectively given. Mr. Roberts possesses rare power of elocution, and is a general favorite with New York audiences.

Hon. Simon Wolf of Washington, delivered a brief address, in which he commended in eloquent terms the Young Men's Hebrew Association to the Israelites of New York. He truly said that few appreciated the work which this Association was doing to advance the intellectual character and promote the true moral and social progress of Hebrews.

The Jewish home circle, renowned in history, and equally beautiful to-day, as in times of yore, should no longer be barricaded against others, but those of gentile faith should be permitted to view the interior and see how the Jew lived in the heart of his family.

Possessing in this land of liberty complete privileges, the Israelite should never permit the engrossing fascinations of commerce to obscure his duty as a patriot. He should take an active part in public affairs, and bring the same high qualities which distinguished him in business to bear upon public affairs, and thus take that rank which his genius, his integrity, and his ability so well qualified him to hold.

The large audience before him was representative of the bone and sinew of Israel, but he had hoped in a metropolis like New York, to have met the wealth and fashion of the Jews, for if wealth and fashion did not at the same time embody culture and true refinement, then the Jew was yet behind the age and had much to learn, and the Hiltons' and Stoeckers' had some plausibility for existence, and the "rank was but the guinea stamp." Out of the meshes of finances must come something better than parade or show, and the true Hebrew would find his duty and recognition in helping a work so elevating and ennobling as that in which the Hebrew young men were so earnestly engaged. The lecturer was warmly applauded.

Columbia College, N. Y., celebrated its centennial on the 13th ult., and among the fifty-nine degrees conferred we chronicle with pleasure that of LL.D. on Dr. Moritz Steinschneider, of Berlin, and Doctor of Letters to Dr. Charles Waldstein, Cambridge, England,

Digitized by Google

two eminent co-religionists. A gift of $100,000 was received through Rabbi Dr. G. Gottheil, for the endowment of a Hebrew professorship, the names of the generous donors (all Israelites of New York), to the philological department, were not given.

Last year Mr. Jesse Seligman endowed four fellowships in the department of political economy. The present gift will place the department of Oriental languages on a plane with those of Harvard, Yale and other Colleges of the United States.

A committee, consisting of Messrs. M. H. Moses, President, and J. H. Herts, of the Purim Association, waited upon the Board of Trustees of the Hebrew Technical Institute at their last meeting and presented a check for $10,670, being the proceeds of the late Purim ball in behalf of this deserving institution. Mr. Moses made a very happy speech in making the presentation, which was most felicitously responded to by Mr. M. Thalmessenger in behalf of the trustees. Mr. Herts also expressed his warm interest in the work of the Institute, saying he had taken two of its graduates for his factory, and had been much gratified with the ability displayed. President Hoffman and others also made speeches. On motion of B. F. Peixotto, a vote of thanks was unanimously adopted, and a resolution offered by Henry Rice was also passed to have a tablet executed by the pupils of the Institute commemorating the noble gift placed in the building in Stuyvesant Street. The Institute will hold its annual exhibition preceding the summer vacation early in May.

The following list of Jewish Immigrants landed at the port of New York during March, 1887: Men, 574; women, 307; children, 372; total, 1253. Of these there were 942 Russians, 203 Austrians, 71 Germans, 31 Roumanians, 4 English, 1 Turk, 1 French. Total, 1253. The number who left New York for the interior was 374; remained in the city, 879. As far as could be judged these immigrants were all of a better class. The total number of Hebrew immigrants who have arrived in New York from October 1st to April 1st foot up 12,382, of whom 9410 remain in the city.

Rev. Dr. Isaac M. Wise was sixty-eight years of age on the 3rd of April. He was born at Steingrub, Bohemia, April 3rd, 1819, and came to the United States in 1846. Dr. Wise became united with his present congregation, the B'nai Jeshurun of Cincinnati, in 1854. The first number of the *Israelite* was issued in July of that year.

Digitized by Google

Editor's Bureau

JULIUS BIEN, ESQ., the President of the I. O. B. B. who has been sojourning for the past four months in the South, returned to the city last week greatly improved in health. Bro. Bien's history now appearing in the MENORAH grows in interest with the appearance of every new chapter and is attracting wide attention both at home and abroad.

ONE talented contemporary, the *Jewish Spectator*, Memphis, warmly supports the views of Seligman J. Straus, Esq., published in the April MENORAH, eloquently advocating the consolidation of Jewish Orders. Quoting some of the most striking points of Mr. Straus' letter the *Spectator* says: "These arguments are in line with what has long since been advanced in these columns and the consolidation scheme is probably the only safeguard for Jewish Orders. It deserves at least careful consideration and respectful treatment, being one of the most serious and important affecting the welfare of the several fraternities." The *Spectator* further offers its columns for discussion of the subject *pro* and *con*.

IN a recent number of the *Jüdische Presse* Bro. Julius Fenchel, Ex-President of D. G. L. No. 8, ably controverts a statement which lately appeared in a German contemporary in which the anonymous author "Z" claims the B'nē B'rīth Order to lack the basis of Judaism, and "prays Heaven, that it may prevent the great danger with which that Association (the B. B.) threatens our faith."

The B'nē B'rīth according to the anonymous "Z" exercise a destructive influence upon the religious belief of its members.

Bro. Julius Fenchel in response to this says:

"If this correspondent believes that the elements true to their faith are so easily liable to break their conscientious and strong beliefs, he entertains a very poor opinion of the strength of character and conviction of our law-abiding co-religionists. We think better of these valiant men and we know better to appreciate the beneficent influence, which they exercise upon the religious feelings of their fellow-members.

We esteem these men who by their example recall to many a family head Jewish consciousness and the duties of a Hebrew."

Digitized by Google

"The Order rejects and condemns any pressure upon those thinking otherwise, but it has made its object to strengthen the inspiration for, and to waken and elevate, the spirit of Judaism; and no unprejudiced mind will deny that thereby moral and religious deeds are strengthened and promoted. Never dare discussions on political and religious differences take place in our lodges, but everything that does take place, and the way in which it occurs, is so thoroughly Jewish, it breathes with such zeal Jewish "Gemiluth-Chesed," that even those otherwise very far from religious control, can not escape the potent effect of the religiously-educational influence of our proceedings." Brother Fenchel has a very just and true conception of the Order.

SCARCELY fifty persons formed the audience in the magnificently spacious Temple Emanu-El, on Monday evening, April 25th, on the occasion of the annual exercises of the Jewish Ministers' Association of America. It is true the night was inclement, a heavy April rain making it somewhat disagreeable for pedestrians to saunter out. But in a city of over 100,000 Hebrews it was not very complimentary to the distinguished visitors that so slim an attendance should have been present.

Rev. Dr. B Szold of Baltimore, and Rev. Leon Harrison of Brooklyn, were the speakers, introduced by Rev. Dr. G. Gottheil, the Rabbi of the Temple and President of the Association. Dr. Szold's theme was "How to extend the Congregation in Israel," and in the course of his remarks he said Judaism was based upon a higher, a loftier and a purer conception than Evolution or mere Philosophy in the ordinary acceptation of modern would-be scientists and some laymen who had recently undertook to expound its principles. The address of Rev. Leon Harrison on the "Mission of Y. M. Hebrew Associations," was a masterly effort, and should be repeated before a crowded house. It is rarely one listens to a discourse of such true eloquence. He caustically handled the imperfections of the clergy, "whose religious snobbery," he said, "alienated all true worshipers, and sickened the heart of those who should be won by purer and nobler teachings." His eulogy of the N. Y. Y. M. H. Association was a just tribute to a society whose efforts should receive better encouragement than is at present extended. Mr. Harrison gives promise of a brilliant pulpit career.

WE have received the first and second numbers of the *Jewish Exponent*, the new weekly periodical published at Philadelphia. The

Digitized by Google

typography like all such work which emanates from our sister city, is neat and beautiful and the second issue, editorially and otherwise a vast improvement over the initial number, which however contained an admirable contribution from Mrs. Nina Morais–Cohen in which the gifted writer paid her compliments to Messrs Howells, James, and Haggard with such excoriating of the simpleton Sidney Luska, as ought to teach him and such ambitious scribblers not only a better style, but better manners and more intelligence upon the subjects they presume to write.

The *Exponent* gives evidence of having a solid financial basis as well as literary capacity and we trust our brethern of the Quaker city will see to it, that it is generously sustained. Among the Jewish weekly publications of the country it is evident from the start that it is bound to hold front rank. Clever, scholarly, polished, pithy and newsy the *Exponent* will make its mark. Let it speak out boldly and fight valiantly for "God and Country," and its success is only a question of "pocket" and "time." We cordially greet and welcome it to our bureau.

KING Humbert of Italy has honored himself and the classic land over whose destinies he so heroically wields sceptre, in confering the honor of knighthood upon the American sculptor, Mosely Ezekiel.

Brother Ezekiel—for he is a worthy member of the Order B'nē B'rīth—owes to our fraternity his first substantial start in life, though he repaid it amply by his superb work, the statue of "Religious Liberty," presented by the Order to the Government of the United States, and which now forms one of the remarkable attractions of Philadelphia and its beautiful Fairmount Park. The B'nē Brīth, carrying out one of the cardinal principles of the Order "of supporting science and art," paid Ezekiel $30,000 for this admirable work, which was the first statue to religious liberty erected in this country.

Since that day our gifted friend has steadily marched onward and forward in his career, until now he justly ranks among America's —nay, the world's—greatest sculptors.

There be those who esteem lightly a ribbon, and speak triflingly, of such honors, who exclaim with the mother of Claude, "What is all this worth?" but we believe with Melnotte, "Worth, worth everything; glory is priceless!"

MANY of the leading members of the bar in Chicago are earnestly advocating the nomination of Adolph Moses, Esq., for the judgeship

Digitized by Google

under the bill now before the legislature. Mr. Moses is one of the finest lawyers in Illinois, and would prove an honor to the bench if elected. He has proved a very efficient member of the Chicago Public Library Board during his five years of service thereon. We trust he will receive the nomination.

Memento Mori.

A happy and pious household has been robbed of its brightest jewel, and the community of Boston bereft of one of its noblest philanthropists, in the death of Mrs. Kate Marcus, wife of Alfred A. Marcus, the eminent orthodox Hebrew.

Her life was radiant with beautiful deeds which reached unto far distant lands as well as to those who immediately claimed dispensations of mercy; to the poor and lowly, to the suffering and struggling, to the widow and orphan. To this lovely woman of Israel, a worthy descendant of Sarah, Rebecca and Rachel, life had duties which could only be most truly performed in the exercise of unceasing labors for the promotion of the happiness of others.

To her, wealth was a sacred trust to be administered for the glory of God and the happiness of His children.

Penetrated with a profound love for her religion, she was never so happy as when seconding her husband in his pious work, and no less orthodox in her faith she held fast to the ancient creed with unchanging devotion to every precept and command.

She was a true mother in Israel, a most loving, dutiful and affectionate wife, and in the long weeks preceding her death she bore without murmur and with patient resignation her great physical sufferings.

Her life was another example of the pure and holy character of Judah's daughters, and in her death all lament who love and revere the good and beautiful.

SPECIAL NOTICE.

Subscribers who have changed their residences since May 1, should notify us immediately of their new address in order to promptly receive their numbers.

Digitized by Google

THE MENORAH

VOL. II. *MARCH, 1887* NO. 3

MY UNCLE BERNHARD *

A TALE OF TO-DAY

BY KARL EMIL FRANZOS

Translated from the German by G. D. Maduro Peixotto

CHAPTER I.

MY Uncle Bernhard was not really my uncle Bernhard after all, nor was Bernhard his real name. His sister had married a distant relative——that was our only relationship.

But if not through blood he was nevertheless through his heart the uncle of all of us. The entire family, as far as those members who still wore short clothes and boys' jackets, turned to him when something was wanted. For he was always deeply convinced of the utility of colored picture books and pretty dolls, or he was easily brought to this conviction, by a single beseeching look from children's eyes; and when anyone wished to escape something, either whipping or scolding, they would fly in like manner to this little silent man.

Uncle Bernhard shook his head, gave a short, but weighty lecture and then he would go to the parents as peacemaker.

As a rule he was fortunate too, in turning aside the storm, for let alone kind mother-hearts, not a father's heart either, among our kindred, could withstand him when he said in his mild serious way: "Don't whip the children! Be glad that they live and bloom for you! Not every one is so fortunate."

* Copyrighted. All rights reserved.

Digitized by Google

This was not very logical, nor could one call it pedagogical wisdom. But as I said, no heart could withstand him, and I hardly think it harmed any one of his pets. The most obstreperous good-for-nothing was ashamed to have Uncle Bernhard plead too frequently for him, and oh! it pained far more than the most cutting of rods when at last even our good Uncle was angered.

Why he had such great influence with us was not clear even to us ourselves. For he was not imposing in appearance or in his station.

Only a needy, bent little man, with long, thin and furrowed countenance, which seemed even longer and thinner on account of his pointed grey beard. This beard became gradually white, but otherwise his face changed but little and his clothes, too, were always the same: a long, dark yellow coat, in summer of nankeen, in winter of wool.

Except Uncle Bernhard, not a single person in Czernowitz wore such a coat, nor did anybody live such a life.

In the early morning and late in the evening he took long solitary walks, and all day he would sit in his room and write curly Hebrew letters on narrow strips of paper. These were contributions to the Hebrew newspapers, said the gossips—"political articles, and it was a real pity, that the little man could not write in German well enough for the Vienna papers, as he was not only a great talmudist, but a clever writer."

And another, a real uncle, Solomon Braunstein, used to say: "The Czar in Petersburg can thank God daily that Uncle Bernhard does not know German!" From the income these writings brought him, and the revenue of a small property, he was able to maintain himself, and even save enough to be able to rejoice all the children he knew from time to time with presents.

But this was the only joy in his dark, lonely life, and when we half dozen good-for-nothings invaded his little chamber, he could play with us and be gay and laugh so heartily that the tears stood in his eyes. We could not

Digitized by Google

understand why grown folks used to say that Uncle Bernhard was really the unhappiest being on the face of the earth.

Children are seldom keen observers. Perhaps those tears which used to run down suddenly over his cheeks were no tears of joy. Perhaps his poor, downtrodden heart never throbbed more painfully than when he played and laughed with other people's children . . . . .

Everything about this man had its history: the furrows in his face, the long, yellow coat and the narrow strips of paper. And I will tell about everything, each in its turn; but about the long, yellow coat I will tell first.

This wonderful piece of raiment was the outcome of a compromise which Uncle Bernhard had made with his sister Henrietta, he being victorious in the cut, she in the color.

When some years ago, he had come to Czernowitz from his native town in Russian Podolia—because he no longer had anyone on earth, except this sister—at that time he wore one of those long, black talars, which the Jews in the east are wont to wear, and called himself, as he had been named since his birth, Berisch Reinmann.

But his sister had not lived in vain for fifteen years in a German town, and she had from simple Hendl Reinmann developed into an emancipated Henrietta Schwarzenthal. She now gave herself every pains to make her brother happy with the blessings of an advanced state of culture. "You must be called Bernhard," said she, and the little man remonstrated at first, but obeyed after all and was known as Bernhard. "You must wear a German coat," she commanded, but this he opposed with a certain amount of stubbornness, not on account of any aversion to culture, but because he had all his life-long worn the long, wide, easy garment. But she continued her storming, and so at last Bernhard yielded, and had a new *Talar* made, this time of dark yellow. It was no longer a "Jewish coat" and Henrietta was satisfied. Further attempts to "Germanize" her brother, she did not make. But he himself took pains, quietly and modestly, to progress in the same direction, without anyone being certain of it. He took lessons in the lan-

Digitized by Google

guage which, till then, he had only spoken in a corrupted jargon, and the aging man spent long years in trying to learn the "high" German.

Many a person may have thirsted for this source of Western education with longing, many a one may have strived painfully to attain it, but perhaps never a soul so sincerely, so zealously as this little "Jewish writer."

And why? 'Twas not his thirst for wisdom, nor the hope that he could once make use of his hard earned knowledge, he was not driven on by vanity—but 'twas his *heart*, that down-trodden heart, that wished to avenge itself and warn others.

Bernhard Reinmann wished to become a "*German writer*", wished to write in German newspapers against Russia.

"What is the good," sighed he, "to write for the '*Hamagid*' and the '*Ibri*';" (the two chief Jewish journals, printed in Hebrew) "Palmerston does not read the '*Hamagid*' and Thiers never looks at the '*Ibri*.' Ah, if I but wrote in the East German *Post* for Dr. Kuranda!" But this heart's longing was never to be realized. He learned German—well enough to be able to understand every book he read, but he never got far enough to write, either because his courage failed him, or because he had begun too late to master the difficulties of the language.

The older he grew, the deeper this vain longing gnawed at his heart. "What do I do?" he used to ask his visitors, looking up sadly from the curly letters, "I only whisper! But I wish to scream, that the powerful ones of the earth could hear me, and take pity on their brethren!"

. . . . . .

And now 'tis long since this thirst has tortured him, his soul is free from every pain, even the bitterest that bowed it down: the knowing memory of his murdered happiness, for my Uncle Bernhard is dead. It is now twelve years.

The children cried a good deal when they buried him, for children are egotistic in their love. But the elder people and his friends thought that death took pity on him!

Digitized by Google

"Now he sees his wife and children once more, after whom he so long had yearned!" And my Uncle Brandstein spoke in the same strain, only he added: "The Czar in Petersburg can rejoice that Berisch Reinmann died before he could tell his history in the East German *Post.*"

My Uncle Brandstein was a good and discreet man, but I believe that he overestimated this story. And I who now relate it am far from doing this.

As far as the Czar in Petersburg is concerned, it has nothing to do with him at all.

Still I believe it is worth while telling *how* Berisch Reinmann became the unhappiest man on earth.

How? In reality it was all through a misunderstanding—but woe to the commonwealth in which such a misunderstanding could happen. An oriental proverb says: "It is the worst curse of bad people that they cannot become good even if they wish to." And it is the curse of tyrannical countries, that they cannot exercise justice, even when they desire to do so, that they even crush and trample on those whom they take pains to elevate and make happy . . . .

Numberless people, as well as I myself, know this history already, and even were it not that I serve only and always, the Goddess of Truth—this other circumstance would of itself force me to neither add nor be silent about anything.

Berisch Reinmann up to his fortieth year was a happy man. The son of poor parents, he had created for himself through his own energy a considerable fortune and a happy home.

He was a grain dealer in a small town of Russian Podolia, right on the Austrian frontier.

It is a business that requires a good deal of ability as well as luck. The harvest is generally sold to the dealer in spring, in the loose manner of the native farmers who cannot wait, so that the failure of a crop strikes the dealer, but of course a good year is profitable to him. Of course one can become poor in spite of every precaution, but again one can in a short time attain riches.

Reinmann became rich. Added to this he possessed a

Digitized by Google

lovely wife and two blooming children. His wife was delicate and their marriage had for long years been childless; all the more anxiously did the good man guard and cherish the blessing which had come so late, after it had almost ceased to be expected.

Over and above all, he had every reason to be content with his lot. He possessed an excellent name among his fellow-citizens, and he was conscious of having through his benevolence and honesty fully merited this.

He stood on a good footing with the civil authorities, because he took the world as it was. He knew that the two all-powerful ones in his native town, the judge and the police-master or prefect had no right to demand gifts from him—but whenever they did so, he always gave them the desired tribute, measured in no scanty manner.

He had no reason to fear them, but he well knew that they could embitter his life if they wished to do so. "Everyone does it," he thought, "I will never be able to change Russia."

And then at last the old prefect of police died, and a new one replaced him. I would gladly mention his name, but it has escaped my memory. The man was an avaricious beast, and whoever would express it in milder terms would be untruthful. He had served in the army, and had been cashiered on account of his drunkenness and a filthy and dissolute affair. But one of the most powerful functionaries of the Podolian Government was his cousin. And in Russia whoever has such a cousin, need have no care; the disgracefully discharged soldier received an office, which richly furnished him even with honors.

But the usual income of this office and even the illegal tribute which the people paid him as they had done his predecessor, did not suffice him, in the life of licentiousness which he led. He therefore increased the tribute, and made the people pay for every official act he was obliged to perform; they murmured but submitted.

Reinmann was the richest Jew in the place, and for this reason had to suffer more than the others; he not only had

Digitized by Google

to sacrifice the largest sums, but in proportion to his fortune he had to give more than the others; at the same time he was the only one who did not complain.

"I will never be able to change Russia!" he repeated his saying resignedly and paid. But it was this very resignation that was to be his ruin.*

"If this Jew," thought the prefect, "pays a thousand rubles, without changing his countenance, he will whine when I demand two thousand; but he will pay them."

And following this theory the noble fellow acted on the next opportunity that presented itself. He was mistaken. The Jew did not complain. But when he had counted out the money on the table, he said: "Sir, you are ruining me. This is no exaggeration—I can prove it to you. I will not call upon your generosity, but only be wise! A wise master does not slay the cow that gives him milk."

The prefect was embarrassed. But he helped himself by a joke: "You are no cow, Berisch, but a Jew, and therefore a pig! He! He!" Berisch did not change countenance. Whoever grows up as a Jew in Russia or Poland becomes accustomed to such jokes. "Take my words to heart," he said in taking leave.

The prefect took account of these words—for full four weeks—then he sent to Reinmann to beg for a small loan. "How much?" asked Berisch of the messenger. "A thousand rubles," was the answer. "I will not give it. Go!"

The messenger, a young, subordinate official, stood gaping with astonishment. A Jew had never dared to speak to him thus, when he came in the name of the powerful one. "Are you mad?" he asked. "Go!"

There was something in Berisch's voice and the expression of his eye, which struck the young man as almost uncanny. He moved away quicker than he had come.

The prefect foamed with rage. An hour afterwards Reinmann received an official summons to appear before him. He went at once. "Why will you not lend me the thousand rubles?" began the prefect; "If," answered Berish, "I have

* Woe to the men who have so far abdicated their rights, their liberty and their freedom that when these are threatened, they no longer defend them, and when robbed of them, bear the outrage with resignation!—TRANSLATOR.

Digitized by Google

been summoned for this purpose, I will give you my reason in a protocol."

"I will *ruin* you!" said the other. "That you have half done already. For the other half, I will defend myself." "Defend?——against me! Do you know who my cousin is?"

"He is not the Czar!" said Berisch.

The Jew was dismissed; the prefect could not remember, in spite of all his thinking, why he had wished to give the man an official hearing. A few days after—it was the end of June—he bethought himself of a reason. An obsolete, and long since superannuated regulation, forbade Jews to keep or employ Christian servants or day laborers.

Reinmann gave employment all through the year to about fifty drivers and carriers, and during harvest time often employed half a thousand reapers.

When the prefect had the old prohibition published, Berisch turned pale—but soon recovered countenance.

"I will have recourse to the Government," he declared, "For my own sake and for the sake of the people. I would be completely ruined and they would be without bread. And *they* are God-fearing Christians!"

The decision came at the end of a week. The prefect had acted according to law and the illegal complainant was fined for malice. Berisch was on the verge of despair,—but his co-religionists rescued him from his distress. They were on good terms with the prefect, they were permitted to employ Christian workmen. So they took upon themselves all Reinmann's rights and duties. He did not escape without heavy loss—but the worst was warded off. Until the autumn all remained quiet. The prefect seemed no longer to remember his mortal hatred for the man, when all at once, one night in October, the house of the Jew was surrounded and searched, he himself torn from the bed, and dragged to prison.

TO BE CONTINUED.

Digitized by Google

THE AMERICAN HEBREWS' WORK*

WE are making history to-day. We are performing one of the initial acts in the erection of a structure that I trust and confidently believe will endure in strength and usefulness long after we have surrendered the burdens of this life to assume the unknown responsibilities of another existence.

The history of an age can only be correctly written during the ages that follow, when the pen of the historian is free from compulsory passion or bias. Our age can claim no immunity from the operation of this general and universally-accepted rule. The true estimate of our time is in the future, and we can only speculate on the verdict that will be rendered by the generations. * * * *

The Pyramids of Egypt, the Acropolis at Athens, the Coliseum at Rome, themselves speak history in mute but impressive eloquence. The future will treat the present as we do the past, and I can fancy in the remote ages to come, when, as the result of revolutions which we cannot now foresee, all the conditions of our present civilization have been radically changed, the historian will resort to such materials to make up his verdict on our times. We are building a monument that shall serve him and us in that hour.

If the gaudy palaces of the rich shall tell of vice and pleasure enjoyed at the price of human misery, there shall also be found, with the impress of this age upon their crumbling and moss-covered walls, unnumbered sanctuaries to speak of a charitable people offering tribute to the God of mercy.

Such monuments are everywhere among us. Throughout the length and breadth of this our common country eleemosynary institutions of every kind richly endowed and ably conducted, uplift their mighty forms. Certainly not less so than in the past is the spirit of selfishness prevalent among

*Extract from an oration delivered at the laying of the corner-stone of the new Home for Widows and Orphans at New Orleans.

Digitized by Google

the people of this age. Perhaps, by reason of the changed conditions of life, if that spirit has not grown, it has freer play. But, traveling alongside of it, and with unwearied step, is the liberal spirit which makes our charities munificent, and the intelligent energy which makes them effectual.

There seems to be a divine law of compensation which invests every man and every age with some saving virtue. Thus the darkness of the feudal ages is relieved by the brilliancy of that extravagant but admirable chivalry that alone saved Europe from absolute barbarism.

Ours is an age of selfish strife. The acquisition of wealth and power seems to be the universal ambition, and to gratify it the most questionable agencies are employed. To the philosophic or reflecting observer there would appear to be in progress a barbarous conflict among brothers over a heritage ample for all if not wasted in the struggle. But the din of battle, fierce though it be, is not always heard. There are intervals when the combatants rest from the fatigue of the fray and a temporary silence falls upon the field. Then it is that the diviner elements of man become ascendant. Then it is that the foemen cast down their arms and unite in succoring the distressed.

This is the saving virtue of our time, and if the age of chivalry be dead indeed, it has left as its legacy this cherished truth, that the bravest heart to meet a foe is soonest moved to pity.

We are making history to-day. The representatives of great commonwealths are here assembled to assist in the solemn ceremonies of this hour. The occupation of our daily lives, our individual cares, our enmities, our private interests, have all been laid aside to the end that we might each share in the beginning of an asylum for those helpless ones whom we have volunteered to protect. Let us not be guilty of vain-glorious boasting, but let us, at the same time, feel better and nobler in the reflection that herein we turn to view the brightest side of human nature.

The nature of man is like unto the face of the earth. On the summit of the snow-covered mountain, whose bleak and

Digitized by Google

aspiring peak is shrouded in impenetrable mists; in the desert, whose waterless wastes have no alternative for quiet save in the dismal cry of savage brutes; on the storm-beaten bosom of the sea there is sublimity, but not beauty. But when gentle hills with verdant slopes lead to greener vales; when valleys teem with herds and flowers, and the ocean heaves lazily under blue skies, we are moved to softer emotions—and so with man.

In cold selfishness, silent hate, or noisy passion, man may be grand; but he is only lovable in benevolence, justice and charity. It is to these phases of human nature, as exhibited in our times, that our contemporaries are erecting monuments in the shape of charitable institutions. It is to these phases of our natures that we are building this monument, and it is in that sense that I say we are making history to-day. But we are making history not only as contemporaries, not only as Americans, not only as Southerners, but as members of that wonderful tribe of Israel, whose crown of glory is its mission to endure with patience and by sufferance to teach the Word of God. We are making history as component parts of the American Jews, whose wandering and blistered feet have found a hospitable welcome here, where the constitution of a free and enlightened people guaranteeing equal rights to all men before the law, touches and exalts the persecuted heart like a divine benediction.

When the massive structure that we are erecting, along with all its surroundings, shall lie crumbling, prostrate before the great destroyer, Time; when moss and ivy shall bandage the unsightly wounds that time has made, and the curious traveler shall brush aside the vine and chase the lurking serpent from this stone, what emotions shall be aroused in his bosom? Shall he not stand in amazement, to muse over that ever-recurring and never-answered problem of the Jew? Let us to-day, as befitting this occasion, briefly consider what shall perhaps pass in review before him.

For centuries the Jews have endured in Europe and Asia a series of persecutions unparalleled in the history of any other people, and which no other people could have survived. From peasant to sovereign the Gentiles courted the favor of Heaven by the oppression of this

Digitized by Google

devoted race, and cruelty to the helpless Jew was offered up as a virtuous tribute to the God that Israel gave them. By the laws of almost every nation, by the customs of almost every country, by the prejudice of every class, they were made to wear a badge of inferiority until the degradation thus heaped upon them became an assimilated but natural element of their character. In ghettos and Judengassen, in the lowest walks of life to which they were confined, the plastic but indestructible nature of the Jew partook of its environment, so that when the nineteenth century civilization sought to invest him with social and political liberty, he was apparently unfitted to receive it. Nor was it offered, save in a niggard spirit, by any but the young nation, one irrefragable support of whose greatness is the unrestricted right of worship according to the dictates of one's own conscience. The Jews, along with other suffering people, responded to the invitation offered by America. From Europe, mainly and largely during the past two generations, there has been an influx of Jews to our American shores, so that to-day about five per cent. of contemporary Jews acknowledge and pay allegiance to the "stars and stripes."

In the nature of things, the Jewish immigrants, while to a large extent composed of adventurers rather than desperate spirits, were in the main made up of the needy, illiterate, unpolished and unsavory classes. Those who possessed a respectable measure of comfort at home, rarely, if ever, sought enlarged privileges in a distant country, where the language, customs and laws were all strange. There are to-day between 300,000 and 400,000 Jews in the United States, composed most exclusively of such immigrants as I have described and their descendants within the third generation.

The Jews have accepted freedom in good faith, and for them, I say, the privileges extended have not been abused. For them I dare to say that, to the amazement of a wondering world under a beneficent government, we have risen in two generations from appalling degradation to the full stature of American manhood. I speak advisedly of the amazement of the world. Where can any history point to another case of down-trodden, persecuted, reviled and debased people who have risen so speedily from the slime of the marsh to the pure atmosphere of the hill tops. But, perchance, it will be said I claim too much, that zeal has carried me to extravagance, the alluring ante-roots of falsehood. Let us, therefore, briefly canvass the evidence.

The Jews came here poor; they have grown rich. They

Digitized by Google

were illiterate; to-day their children and grandchildren flock to the highest seats of learning and bear away honors awarded to merit. They were uncultured, niggard and rude; to-day they build stately homes and fill them with rarest works of art. They came as pedlers, butchers and pursuers of other lowly occupations; to-day they follow every profession and vocation with credit.

They were indifferent to the government and its institutions; to-day they are patriots, and above all, and what is more germane to this occasion, they take from their substance with unmeasuring hand and bestow it in intelligent charity.

The truth of all these claims is so apparent that "he who runs may read." It will be profitable, however, to examine somewhat more closely into the charities of our people, and I ask your indulgence while I present a few eloquent figures.

There are four great charitable fraternities in the United States, viz.: The Independent Order of B'nē B'rīth, with an aggregate of 25,000 members; the Free Sons of Israel, with nearly 11,000 members; the Improved Free Sons of Israel, with about 3,300 members, and the Kesher Shel Barzel, with over 9,000 members. All of these great organizations are founded and conducted upon philanthropic principles. From official reports I find that the B nē B'rīth, aside from and exclusive of endowment and sick benefits, bestows annually almost $100,000, or $6 *per capita* in charity. The average in District No. 7—composed of Tennessee, Florida, Alabama, Arkansas, Mississippi, Louisiana and Texas—is over $9 *per capita*, and exceeds by far the average in any other District. The aggregate membership of the other three Orders named is about 25,000, and if we credit them with an average *per capita* charity of $4 per annum, we have a quarter of a million dollars contributed by the fraternities alone. But notwithstanding the vast extent and usefulness of these Orders, we find in nearly every important town where the Jews reside a Hebrew benevolent society whose sphere is local. Certainly not less than $250,000 is annually distributed by these organizations.

The Jews in the United States support and successfully operate a number of hospitals, among which are the Mount Sinai Hospital, in New York; Jewish Hospital, in Philadelphia; Hebrew Hospital, in Baltimore; Jewish Hospital, in Cincinnati, and our own Touro Infirmary, at New Orleans.

In addition to these they own, support and successfully operate a number of charitable asylums, among

Digitized by Google

which are the Hebrew Benevolent and Orphan Asylum, in New York; Foster Home and Orphan Asylum, in Philadelphia; B'nē B'rīth Orphan Asylum, in Cleveland; Jewish Orphan Asylum, in Baltimore; Pacific Orphan Asylum, in San Francisco; Home for Aged and Infirm, in Philadelphia; Home for Aged and Infirm Hebrews, in New York; Familien Waisen Verein, in Philadelphia; Deborah Nursery and Protectory, in New York; Sheltering Guardian Society, in New York, and the Jewish Widows' and Orphans' Home, in New Orleans. I have doubtless omitted some of the Jewish eleemosynary institutions which are entitled to rank along with those I have mentioned.

Besides the above, there are are great numbers of relief, free burial, free fuel, and free school societies in the larger cities.

The annual cost of the conduct of these various institutions I have deemed it safe to place at not less than $500,000.

The private and miscellaneous, but strictly Jewish charities, I have, after careful consideration, placed at an average of $1 *per capita*, or $300,000. We have then a grand total of $1,300,000 expended annually by 300,000 Jews in strictly Jewish charities—an average *per capita* of $4.53⅓. Estimating that there is an adult male to every six persons, we will find that there are but 50,000 male adult Jews in the United States, and as the burden falls almost exclusively upon them, their *per capita* averages $20 per annum. But it is well known that the Jews are charitable to others than their own faith. I venture to estimate their general charities at one-half of their sectarian charities. That would swell the grand total to nearly $2,000,000 per annum, or an average *per capita* for each male adult of $40.

If the same generosity were displayed by the people at large, the charity of the whole country would reach the enormous amount of four hundred millions per annum, a sum larger than the national revenues, and almost equal to the value of two cotton crops. It must be remembered that in my estimates I have not included the sums paid out for sick or endowment benefits. These I consider beyond the pale of strict charity, although in many respects that may be considered as falling within it. I have also excluded congregational expenses. There are about three hundred congregations in the United States, being one for every 1,000 Jews, and the annual expenditure is not less than $1,000,000, or an average of *$20 per capita* for each male adult.

Digitized by Google

This is but a passing summary of the record, and it speaks volumes. No achievements in peace or war can testify so eloquently to a people's virtue as the charities they accomplish. Nor have our charities, as we have seen, been confined to our own people. In every hamlet and metropolis where calamity of public or private nature is called to popular attention, the Jew is every ready and foremost with his contribution. As the flower expresses in perfume its gratitude for fresh air and nourishing sunshine, so the Israelite voices his thanks for freedom in the charity he bestows. And could our grateful hearts find sweeter utterance than in the "mercy which blesses him that gives as well as him that receives.

It is by our progress, our culture, our education, our obedience to law, our probity, and, above all, by our good works, that we are discharging our debt to the country which has enabled us to develop our true natures, and I rejoice in it, both as a Jew and as an American. I rejoice in the conviction that were Columbia to call the roll of her adopted children and sternly demand which of them had requited her motherly protection and love, the Jew could step forward bearing the fruits of industry and charity in his arms and proudly answer "I!" .

It would tax your patience too heavily to discuss at length the causes which underlie this phenomenal development. Volumes have been written to explain why in all climes and under all circumstances the Jews have adapted themselves to their environment without surrendering that mysterious quality which preserves their identity as Jews, and as such pushes them ever to the front.

There is something in the Jewish character which may not be defined, for it is divine. The lamp that burns forever in the heart of Israel radiates the light of God. Mixed with all the grosser elements of our nature is that undying and fundamental principle of our faith ; "Love thy neighbor as thyself." Even the rude savages that fitfully followed Moses were ripe for this grand idea and the seeds planted in the breasts of those newly emancipated slaves has never perished. As Hillel said to the heathen, "what is evil unto thee do not to others." This is Judaism, the rest is all commentary.

Is it extravagant to claim that the mission of our race to preserve and promulgate this principle of love throughout all time is the key to the problem of our history? The love of our fellow-men, the spirit of charity in its broadest sense, is

Digitized by Google

at once the Jewish sustenance and rule of action. So long as it governs us it will sustain us, and thank God the evidence multiplies daily to the fact that the end is not yet.

Wherever the field is white unto the harvest the Jew is at work. Wherever sorrow waits and suffering appeals, the Jew is at hand to answer and to aid. Shall it not be always so? Shall the arms that have borne so much give way to burdens now? Shall the spirit that braved the persecutions of centuries quail before the light of long-deferred enfranchisement? Shall the sacred birthright of Israel, consecrated again and again by martyrdom, be bartered away at last? Believe it not. The lamp whose flame is Divine will never be extinguished. The future is richer than the past. The past is freighted with our achievements; the future is full of new duties from which we shall not shrink. The record we have made is but an earnest of what we shall do, and in our modest way we here are doing our part to that end.

Enjoying the fullest liberty ever offered by any national goverment, untrammeled by tyrannical and debasing restrictions, with free air for aspiration, and the right under heaven to elevate our nature to the divine ideal, we shall deserve the privileges we enjoy by the good we accomplish. If we reap in the fields of plenty, there shall be left for the gleaners who follow in the harvesters' path the tithe that belongs to the poor. Let this asylum in some measure support the promise we thus make. Let us not only build it, but conduct it on such humane and intelligent principles that it may be said in our midst, as it may be said wherever the Jews are permitted to prosper, that the distress of the poor is the care of every Jewish heart. We must not, we shall not, falter in this mission. Our hearts are in it, and our arms will be strong for the task. Here will we shelter and educate the orphan, and may I not say for you and all of us to the widows and orphans of this our country, though you drop tears as fast as the Arabian trees their medicinal gum, yet shall you be comforted. Though your wounds be as deep as the limits of your hearts, they shall be healed, for the providence of the Lord shall lend the music of consolation to our words and soften the touch of our hands as we rest them in love upon your affiicted heads.

Such, be the proclamation that we issue to-day, and let it be so verified by our deeds that the afflicted shall echo and re-echo the time-honored prayer of our people: "Blessed be the name of the Lord, for His mercy endureth forever."

LEO N. LEVI.

Digitized by Google

CHAPTER IX.

ENTERING ROUMANIA.

THE tedious, toilsome twenty hours by coach from Kronstadt to Ploesti, where the railway train was met, were relieved in part by the wild mountain scenery, the many dangerous passes along the Prahova and the constant call to alight and walk when the road became too precipitous.

From the hamlet far beneath where the Austrian Zoll Amt (custom house) is situated and farewell is taken of the Honveds and Jagers, the chaussee winds up the mountains to within a brief distance of Predeal, the Roumanian frontier post, which passing after your passports and luggage are *passed*, you come anon among many surrounding mountains to one bearing the name of Mount Sinai, whose resemblance, however to its ancient prototype it would be difficult to discern, unless the old monastery and older church which lie upon its brow give to it a special holiness and sanction the use of such a name. And yet were these not here there would still be holiness to the spot from its sublime isolation encompassed on all sides by loftier peaks and high over all glistening in the sun with its eternal snow clad summit, the highest of all the Carpathian ranges. And here the ruler of the nation, the "Prince of the Roumanians," has laid the foundation of a mountain home, a palace rising above the clouds and lifting to the heavens. May he, inspired like the meek one of old, the greatest of law givers, from its portals promulgate none other but wise and just laws.

From Cimpina the road lies over one of those vast steppes for which the Danubian principalities are famous, and if before the way possessed attractions, they were all but dissipated now by the utter dreariness of the last four hours of bleak and barren desolation.

When Ploesti at length was reached, I was glad to pass hastily through its long straggling streets, pausing only now

Digitized by Google

and then to regard such of its 30,000 inhabitants, a third of whom I was told were Greeks and Bulgars, whose more marked and peculiar features and picturesque costumes arrested my attention. The appearance of the railway train at the station seemed like coming back again to civilization, and two hours monotonous journey brought me to the gates of Bucharest.

The snow lay nearly two feet deep upon the streets as driven in a *sania* by one of the ghastliest of ghastly *skopts*, I was whirled through the *calles* to the door of the Hotel Hugues, the principal hostelry of the Capital.

CHAPTER X.

FIRST IMPRESSIONS OF BUCHAREST. INTERVIEW WITH THE GERMAN CONSUL GENERAL.

DID you ever enter a strange city without knowing aught of its character, its streets, its inhabitants, the language spoken, the customs and habits prevailing, or without having one living soul to whom you could address yourself as an acquaintance?

Even if you have, it perhaps has been in a place less remote and where something suggested a familiar scene, a face or an object which recalled home or its associations. There was nothing of this in my first experience of the Roumanian Capital. Everything and everybody was strange, novel and peculiar. I, however, did not tarry long in my room, but finishing my first *dejeuner*, which would not have shamed the cuisine of the *Trois Frères Provenciaux*, I sauntered out for a stroll. Vain effort through the labyrinth of streets, impassable from the recent heavy fall of snow which had drifted everywhere with no attempt at clearing. Only on the Calea Mogosio, the principal thoroughfare, was it possible to walk, and even there the few feet of trottoir crowded with pedestrians made it uncomfortable, if not hazardous, for at

Digitized by Google

any moment I might be pushed into the narrow street and knocked down and run over by the innumerable *traineaux* whose fleet and foaming steeds driven by the most reckless of *cochers* paid or seemed to pay little regard for human life. Yet the scene was the gayest of the gay, a perfect carnival; and the equipages rivalling those of the *Champs Elyssees*, bore every variety of costume. At every step another and different object was encountered, the Orient seemed to swarm the streets:—

> "The wild Albanian kirtled to his knee
> With shawl-girt head, and ornamented gun
> And gold-embroider'd garments, fair to see;
> The crimson-scarfed men of Macedon;
> The Delhi with his cap of terror on,
> The crooked glaive; the lively, supple Greek;
> And swarthy Nubia's mutilated son;
> And bearded Turk, that rarely deigns to speak."

Such a commingling of races and costumes I had never seen before.

And here too was the pelt-clad Wallach, his coat with the skinny side out and the woolly side in, jostling the long, black-robed *popa*, as the lay priests are called, with his brimless, high stove-pipe and flowing unkempt locks; while shuffling along came the Son of Abraham, pallor in his cheek and fear in his eye, as if he had only escaped one horror to be hurried into another.

Finding pedestrianism difficult, I hailed one of the countless swift-speeding *Birjas*, and, having ensconsed myself beneath one of the ample and showily-trimmed robes which decked the sleigh, gave the sign with my cane, for by signs only can one speak to these hapless skopts, and away flew the fleet-footed beasts, slashed by the merciless whip of the vain and heartless driver, whose only thought is to outrun all competitors.

At the end of the long, narrow street, the first fountain whose ice-bound waters gave no sign of life was reached, and the celebrated Chaussée of Kissilef, constructed by that sage and prudent officer when he occupied the country in the

Digitized by Google

name of His Imperial Majesty, the Czar of all the Russias, came upon the vision in all its dazzling array of brilliant equipages, proud *boyars* and dazzling women.

Even in winter this splendid promenade was fascinating. On either side the road and lining the broad avenue, fine parks were admirably laid out, filled with forests, whose leafless branches were now laden with the fleecy white of the frozen rain.

At least two miles in length, broad and straight, one here gives rein to his steeds and with a touch of the *peitsch* seems to fly along swifter than upon the wings of a bird.

A little off the main road, down an avenue leading directly thereto, we speedily reached the portals and passed the gates of a secluded but lovely little villa, from whose roof was raised the flag of the now great German Empire. It was the representative of the King of Prussia and but newly come to the title—Kaiser of Germany, that I sought and found. Bearing a cordial letter from an eminent Berlin professor—a mutual friend—I was at once most cordially greeted by the Diplomatic Agent of the great warrior-king.

A handsome man he was (this gallant Prussian), of a clear and pure countenance, with features fine and delicate, and complexion fair and soft as a woman's. A splendid moustache, long and stiffly drawn out at the ends as if by constant twirling, lighter than the auburn of his hair, and but partially covering an expressive mouth, marked still more clearly by teeth like pearls and smooth-shaven, handsome chin.

A trifle above the medium height, of fine figure, though of slight build, Herr de Radowitz by his dignified and striking manners, at once conveyed the impression of one who bore ever in his thoughts that elevated tone of manhood which marks the true gentleman. It would be impossible to ascribe a mean action to one of such countenance and bearing. His eyes, too, were bright and full of expression, and shone with a light found only in the eyes of those whose lives are pure and noble.

Digitized by Google

Speaking French and English with almost equal facility, his native tongue was softened by the knowledge and use of these languages.

"You come to Europe and the East," he said, "at an interesting moment in the political history not only of the Continent but of these principalities. Some marked events must speedily transpire here; the present ministry are scarcely in accord with the Prince, and he is by no means happy in his relations with the country over which he has been called to rule."

"There is a strong prejudice to Germans, I take it."

"You are right, and indeed to all strangers; the sentiment of the politicians is French, and France is the god of the Roumanian's (as he now calls himself) idolatry."

"But why are the Jews persecuted?"

"Because they are more intelligent, industrious, economical, more frugal and enterprising."

"They tell me the Jews sympathize more with the Germans than with the French?"

"I do not think so. As far as my observation goes, they are completely identified with the prevailing sentiment of the country; and the more intelligent speak French, though not with the same facility as the German."

"Does this not prove that they are more imbued with German ideas?"

"In their habits of frugality, mode and manner of life, keeping always in mind the more intelligent portion, yes. But they are quite as much Wallachians and Moldavians, having precisely the same characteristics in general as their Greek orthodox neighbors."

"The world has been much agitated over the reputed cruelties practised against the Jews here; are all the stories which circulate abroad true?"

"Scarcely; this is not Spain, nor are the people Spaniards, though they claim the same Latin origin. The Roumanians are cowards, and they often treat the Jews with great brutality; murder them by wholesale they do not, though this is perhaps through fear that such atrocity would speedily lead to their own swift retribution."

"You regard the Guaranteeing Powers as in a measure responsible, then?"

"To a certain extent, undoubtedly. Whenever it shall appear that the Home Government cannot maintain internal peace, the Suzerain Porte has the right, according to Article 8 of the Con-

Digitized by Google

vention of Paris of August, 1858, in understanding with the *cours garantes*, to intervene to re-establish and maintain tranquility."

"The Principalities continue annually to pay tribute to the Porte?"

"Yes; one million five hundred thousand piastres for Moldavia, and two million five hundred thousand piastres for Wallachia, equivalent to about forty thousand pounds sterling annually."

"It is singular, so much as relates to the payment of this money tribute is observed, while in almost every other respect the articles of that celebrated convention have been virtually abrogated. Are not the Powers much to blame for this?"

"The weakness of the principalities is their strength. Their geographical position makes them an object of envy to several of the bordering powers. But let us not speak more of this theme now. You have come to study the country, and I am sure with that characteristic trait of your more serious countrymen you will go into the very heart of things.'

Some time was spent in further general converse, and I then took leave of my amiable host, and was soon flying back again to my hotel.

PERSONAL REMINISCENCES

PREFATORY.

THE Order of B'nē B'rīth, besides its printed minutes and statistics, has an unpublished history. THE MENORAH presents a medium for spreading before the Brotherhood and the public incidents worthy of preservation in the life of the family of the Order, some of a pleasant, some of a sorrowful nature, but all of an instructive character. Each member has stored up in his memory remembrances of more or less of such events. It has been suggested that a series of papers be published under the title of "Personal Reminiscences." Of course, it is not possible for any one person to be cognizant of what has transpired in every District, therefore it is

Digitized by Google

requested that every brother in the fraternity who has any historical incident to relate that can be appropriately included under the caption of this article, will transmit the same to the editor for collation and publication in THE MENORAH. All such communications will be included in future numbers of the Reminiscences. History, however faithfully written, frequently present only persons and actions that by peculiar circumstances, by favor, chance or accident have become prominent. Of the famous battles that have been fought, we read alone about the generals and great captains. But it is the rank and file that bear the brunt of the conflict, and to whom victory is due. Without detracting from the merit of those who have been foremost in forwarding the standing of the Brotherhood, it must be admitted that, without the earnest workers on the rolls of the lodges, but little would have been accomplished. "History makes haste to record great deeds, but often neglects good ones." Carlyle says: "History is philosophy teaching by experience." This apothegm is peculiarly adaptable to the life of our Order. Its *raison d'être* can be seen by a *resumé* of what it has done. The eminent essayist just quoted says: "In a certain sense, all men are historians." Many of the most valuable members of the B'nē B'rīth have gone to that

> Sinless, stirless rest,
> That change that never changes.

It would be but fulfilment of the noblest principles of the Order, to pay permanent tribute to their memory. By recalling their services, we may be led to follow their examples, remembering:

> "Lives of great men all remind us
> We can make our lives sublime;
> And, departing, leave behind us,
> Footprints on the sands of time."

LEWIS ABRAHAM.

Digitized by Google

SPINOZA

TO the empty eye, a philosopher—a dabbler in wisdom—is of little use to his fellow-beings, except, maybe, as an originator of shrewd ideas over which the world faintly smiles, and nods its head. Whether this view is correct, or not, I will not judge—one fact is certain, philosophers have always been venerated. The world loves Socrates, and the impudent command of the "doggish cynic" was obeyed by Alexander. Every nationality prides itself upon its philosophers, and so likewise do the Jews. In fact, the foremost men in the history of Judaism were "thinkers." Hillel, Maimonides, Halevi, and Moses Mendelssohn, all are best known for their researches in philosophy. But among the foremost Jewish thinkers we must place, and the world places, Benedict Spinoza.

Generally the philosopher is submissive and pious to his God, holds, or rather declares to hold a contempt for the world, and has a high opinion of one person upon its face—himself. Here we have an exception; a man who loved God, loved the world, and for himself had only a due respect. Here we have the true thinker, the lover of truth, the axis of modern thought, in a word—Benedict Spinoza.

The career of this man was an eventful one. Baruch, or Benedict, Spinoza, was born on the 24th of November, 1632, in the city of Amsterdam. He early began his studies for the qualification of rabbi. His teachers, surprised at his youthful wisdom, could not over-praise his genius and his aptness for Talmudical studies. Nor did the gifted youth lack a gifted teacher. The Chief-Rabbi, Mortiera, was his tutor. At the age of fourteen, the boy had ideas far in advance of his years and of his century. It is true that Bacon and his fellow-philosophers had some years before begun the great revolution of thought, but it is doubtful if the young scholar ever saw other than Jewish works, or heard the doctrines of others than Jews. Though brought up amid the very essence of

Digitized by Google

Jewish life and religion, this bold youth of fourteen made the gravest denunciations against them. John Locke's denunciation of Oxford can hardly be compared with it. The rabbis, in their sorrow, strove mightily to banish those thoughts from the youth's mind, and finally in their despair, excomunicated the one whom they loved. As his thoughts would still have utterance, the congregation offered him 1000 florins, and he should be silent. Spinoza meekly replied—"I seek Truth, not gold."

In 1655, the Jews severed their last ties with their "sinning" brother. In that year the great excomunication, the Anathema Morantha, was declared upon him. The awful ceremony was performed in the Synagogue of Amsterdam. Here he was cast out from Judah and cursed by his rabbi and his people.

Following this sad event came Spinoza's banishment by the magistrate from the city. With a heavy heart but a free conscience, Spinoza went his way. Henceforth he spent his hours in study, aud labored in his great works which were to earn the reverence of the world.

His great literary works consist of discussions on important questions, especially in Theology. They were made up of "earnest efforts to the heart and mind of the readers." He wrote in a forcible manner, and to explain points used axioms and brief and concise demonstrations in regular arrangement. Broken down with study and other brain work, Spinoza died. This sad event occurred at the Hague, on the 21st of February, 1677.

In person Spinoza is thus described: "He was of medium stature, with dark hair thickly covering an oval head; black, small, brilliant eyes, long eyebrows, and pointed chin."

To give a concise knowledge of Spinoza's doctrines would require the accurate study of a scholar. His general freedom of thought may, however, be plainly understood from a few of his utterances which have been preserved. He was lying on his death-bed. His hostess asked his views on her religion—Christianity—and he replied: "Your religion is a good one; you ought not to seek another, nor doubt that

Digitized by Google

it will secure your salvation, provided that you add to your piety the tranquil virtue of domestic life." He once said: "Religion is neither doctrine or culture, but is essentially the love of God, the expression of which is piety and obedience, and its worship is virtue."

Many authors have spoken of Spinoza and his works. He had said that "who truly loves God, must not expect that God will love him in return." The mighty Göthe pronounced this one of the sublimest pieces of philosophy. Indeed, it is said that the poetry of Göthe, Schiller, and Wordsworth, has the source of its nature in Spinoza.

Leibnitz did not believe in the great philosopher, and styles him "The acute, but profane author of a wretched doctrine"; but Straus is pleased to call him "The father of speculative theology."

To-day the name of Spinoza is not as familiar as that of Plato, Aristotle, or Bacon; but could we make sections of the different strata—the influence of philosophers—running through modern thought, prominent and important would be found that of the out-cast Jew—Spinoza.

He was truly a good and a great man; Pope, himself, could have but called him—"The wisest, brightest, *Godliest* of mankind."

EDGAR E. HEAVENRICH.

Digitized by Google

HISTORY OF
THE INDEPENDENT ORDER B'NE B'RITH *

CHAPTER IX.

BROTHER DR. MERZBACHER. — ORIGIN OF THE TEMPLE EMANU EL.

DR. MERZBACHER'S accession was of incalculable benefit to the Order. A thorough scholar, an enthusiastic Jew, an eloquent exponent of the moral sublimities, the humanizing traits of the Jewish religion, he combined true religiosity with the most liberal conceptions; and he became, so to say, the first apostle of liberal and reformed Judaism on the American continent. He was a genial companion, a ready conversationalist, at the same time modest and retired, but ready at all times to do yeoman service for the furtherance of objects beneficial to his people and elevating to the cause of Israel's faith. It was natural enough that, once enrolled amongst the laborers engaged in building up the Order, he went to work with all the enthusiasm of his nature, and fructified the institution with his ideas and conceptions, and stamped it with his genius and inspiration. It is a significant fact, and characteristic of the conditions of the Jewish congregations existing at the time, that such a man could not find a permanent engagement as teacher and lecturer, and was not even permitted to perform the functions of Rabbi, though in possession of credentials of established rabbinical authority and of a full collegiate education.

It was, perhaps, fortunate that it was so. Through the influence of the Order, or rather the men who called that child into existence, a new congregation was formed, which was to outrank all the congregations previously in existence, and which for some years to come was to be the leader of all that is progressive and liberal in religion, and stands forth to-day a proud monument of representative American Judaism. At the cradle of this congregation stood the same men who had

Digitized by Google

founded the Order of B'nē B'rīth, the men in whose breasts slumbered an undying love for the regeneration of their people and whose genius had diagnosed correctly the seat of the evil, and recognized that the schoolmaster, that education was the only remedy from which a permanent improvement could be hoped for. Through their influence the congregation, or the Cultus-Verein, as it was then called, was started, and Dr. Merzbacher not long thereafter installed as preacher and minister, where his labors found a proper field for a bountiful yield. The following circular, signed by William Renau, Dr. Bruckman, J. Meyer, Isaac Rosenbourgh and J. Mühlhauser, was issued a few months after the admission of Dr. Merzbacher to the Order, and it is well worth a place here, as an important document illustrating the history of the development of Judaism in this country:

To the Friends of Religious Progress:

Convinced of the eternal truths of the religion of Israel, admonished by sentiments of sacred duty, encouraged by the successful example of their enlightened brethren in faith, the undersigned have concluded to form a Jewish Cultus Society, the object of which shall be to introduce an improved worship, in accordance with our times, thereby to elevate the religious and moral culture of their co-religionists.

We would occupy a position of greater respect amongst our fellow-citizens of different faith, and would better deserve of it, if in faithful attachment to the precepts of our fathers, we would remove all the abuses and desecrations from our sacred cultus, and use in public worship the customs handed down in their original venerable simplicity, without the confusing ceremonies added by later periods.

It would have a salutary effect upon and be productive of true devotion. Our growing generation would become more attached to a faith, the customs of which are instinct with thought and veneration; their hearts would glow warmer for its convincing truths; their minds would then be in harmony with the sense of its lessons and the sacred prescripts of our religion would be observed with more exactness, if its confessors as true worshipers of the One God would occupy a position of respect before the community.

Yours, therefore, pious and educated Israelites on whom shines the light of truth and knowledge, is the duty to help in furthering with a strong hand the sacred cause of our religion and the welfare of our brethren; you are called upon to take charge of this sacred cause, and to assist it manfully to the honor and glory of God.

All those, therefore, who desire to join the Cultus-Verein, which is

Digitized by Google

already enjoying a promising growth, will send in their names to the undersigned directors.

"Initiation fee is two dollars. Monthly contributions, one shilling.

"NEW YORK, September 14, 1844."

The Cultus-Verein soon thereafter developed into the Congregation Temple-Emanu El, which, under the leadership of Dr. Merzbacher, introduced an improved divine service. The congregation first worshiped in a small church, which had been transformed into a synagogue, in Chrystie street, but a few years later acquired a large edifice on Twelfth street, where it remained until the new, magnificent temple on Fifth avenue was ready for occupation, and dedicated just twenty-five years after the formation of the original society founded by the members of the Order. The changes introduced by the Temple Emanu El were not received kindly by the masses, but it gradually gained adherents; many of the old congregations followed suit; new congregations forming all over the country adopted the suggestions and followed the example until the number of reform congregations far outnumbered the conservative or so-called orthodox congregations. The want of enlightened teachers and preachers was becoming deeply felt, and gradually men were induced to link their destiny with the new Judaism rising in America, who had established in Europe a reputation of profound learning and exceptional eloquence; men who had the courage of their convictions and the firmness of character necessary to lead American Israel out of the wilderness of ignorance, superstition and religious apathy. The pioneer Merzbacher was soon followed by such a galaxy of names as Drs. David Einhorn, Samuel Adler, Samuel Hirsch, Maurice Mayer, Max Lilienthal, Adolph Hübsch, etc., reinforced by a number of younger men who to this day honor the Jewish ministry by their earnestness, their eloquence and their erudition, and have greatly contributed to make the name of Israel honored in the land.

Digitized by Google

Open Letters

THE MACCABEES OF THE OCCIDENT.

Afar off in a distant land battles are raging, armies are arrayed against each other, the warwhoop is heard, the red flag is hoisted and "down with tyranny" is the battle cry which is expected to impel the rebel forces. The world very naturally asks who is the man so daring, that he can bid defiance to all the powers over him, so brave, that the hosts will rally around him and beg to be used as lambs upon the altar of a sacred cause. In plainer language, who leads the "kickers" of District No. 4? Well! There are several of them, and each have their little bands of lambs, which together make a respectable sized flock. But the greatest of them, the most bellicose, the ever effervescent, the pretender of America is undoubtedly Brother Louis Kaplan.

That Brother Kaplan should have a history in the Order must not be surprising to any one. All leaders have a history to fall back on. The question merely remains as to whether his history has that within it that ought to swell his bosom with pride. Of course, he may himself recount his acts and whether the same be deserving of the acclaims of his fellow-men or not may in the spirit of bravado cry out: Yes! and "I am proud of it." I don't mean such pride. It is the genuine, honest, homespun pride which I would ask Bro. Kaplan to manifest over his acts. Let us see whether he can respond.

In the year 1874, the writer joined the order of B'nē B'rīth. A lodge was being instituted in the town in which he resided and he enrolled his name among the applicants for a charter. Some of the latter had been members of the Order for some time and knew something of the inner workings of the institution. At our preliminary gatherings these men would constantly harp upon the many beauties of the Order, and upon the power it would have exercised, had its growth not been impeded by Kaplan, Badt & Co. The charge was so often repeated against this firm of immaculates, that I began to think, it amounted to a persecution of the innocents. Soon, however, I was to be convinced of the utter lack of innocence in that direction.

The session of the Grand Lodge in 1877 was held at Stockton.

Digitized by Google

Previous to the gathering of the clans, our Bro. Kaplan, faithful to his mission in this world, began to agitate. This time he agitated on a change in the endowment law. He did not want the single men to enjoy the right of participating in the benefits of the endowment, though he would graciously permit them to contribute to its support. The endowment system needed safeguards he maintained, and we must not expose it to indiscreet testators. Young men will not always designate their heirs with care and circumspection, therefore, down with the rights of the young men. It is needless to say, that the desired commotion came. We participated in the session and remember well the amount of unnecessary bad blood it produced. A compromise was reached in the Committee, (Bro. Kaplan is always ready to compromise when the agitation gets beyond his control), the nature of which was to continue the young men on the beneficiary list of the endowment, but restricting their rights of bequeathing to father, mother, brother, or sister. No sooner had the delegates returned to their homes, when the City lodges, composed of young men, stood up in arms and demanded the repeal of the restrictive amendment. An extra session had to be called in double quick time, the law was repealed, and Bro. Kaplan emerged from this little skirmish the best hated man in the District. But then he agitated, and that was enough recompense for him.

Then followed the years of '78 and '79 bringing peace with them and having prosperity in their trail. The B'nē B'rīth Hall was built about that time, the membership was increasing handsomely and Bro. Kaplan's influence had dropped below zero. Lo and behold the convention meets at Philadelphia and formulates a new ritual. Thank the Lord for another opportunity to agitate. Had the whole convention to a man apostatized from the Jewish religion, their crime could not have been any greater than the formulating of this much abused ritual was made to appear. Lodges were harangued, the degeneracy of the Order was bewailed, crocodile tears were shed, because ; henceforth our youth will be estranged from the religion of their fathers, and, in order to keep them in the fold, the separation of the district was considered a wise step. In short, he stirred the passions of the members to such a pitch that it shook the district from center to circumference. His wisdom was once more acknowledged and his lodge which ever since 1878 refused him an election as representative, this time selected him as the chief of the delegation. This was something which our friend heartily desired for a vote was needed for secretary, and to the Grand Lodge he had

Digitized by Google

to go. He went, elected his pet as Secretary and began, what afterwards proved a sham fight on the ritual. January 26, 1880, was the evening set for the redemption of our youth from the pitfall of atheism which lurked in *that ritual.* A committee was appointed, of which of course Bro. Kaplan was a member, charged with laying before the Grand Lodge a plan of action. The Committee reported, and we assure you, a greater amount of flamdoodle has never been composed before, or since, except, perhaps, it be Mrs. Lockwood's letter of acceptance of her nomination for the Presidency. A good sample of it is the following passage:

The evil effect of the new ritual has to be counteracted, as its promulgation is contrary to every principle of propriety and in direct opposition to the well-being of our constituents.

The committee reported in favor of the appointment of a ritual committee, whose duty it shall be to get up something, which shall put every previous effort of the kind in the shade. A speech was delivered by our friend, prophesying the complete destruction of our religion, unless we had a ritual with more ceremonies, forgetting however, that he is a member of the Temple Emanuel, the only Synagogue in this City where every ceremony is banished and traditional Judaism is unknown. His forensic effort was seconded by Bro. Badt, who laid particular stress upon the bad English in the ritual (auch nicht schlecht). At last the chair appointed the desired ritual committee with Bro. Kaplan as chairman. A great victory was gained for Judaism, and Kaplan was declared the new Maccabee. It is six years, still the committee is out to work on the new ritual. But then, we have agitated once more, regained our popularity and elected a Secretary of our choice against a formidable opposition.

Shortly before the session of 1882, Pacific Lodge raised the cry for an increase of the endowment to Two thousand Dollars. The source whence this cry came, ever led me to believe that Bro. Kaplan was not altogether innocent in the origin of it. He certainly advocated its adoption with all the power at his command, forgetting once more, that the endowment system needed safe-guards in 1874 at Stockton, and that those few years did and could not make the system impregnable. Still it was the popular current and the Brother had to swim along or drown; because since the last agitation his Secretary had gone into obscurity and new influences were being felt.

In 1882 Golden Gate Lodge very ill-advisedly started a contro-

Digitized by Google

versy with the Executive Council of the Grand Lodge. It was whispered about town that on Wednesday, March 15th, Bro. Frank Sperling, the then first V. P., would in the absence of the President visit the above Lodge and endeavor to convince the members of the error of their ways. Bro. Sperling went, but instead of meeting the members of Golden Gate alone, he was compelled to encounter also Bro. Kaplan. That Brother, hungry for a fight, had appeared ready with a treatise on the inalienable rights of American citizens, denouncing the council as a pack of despots, and once more offering his services as professional liberator. The result was, that the charter of Golden Gate Lodge was suspended, the District was again excited, an extra session had to be called, and Golden Gate was only restored upon the promise that it would do that which Bro. Frank Sperling asked of it the night of his visit. Still Bro. Kaplan had a good, hearty agitation, even if it was at the cost of the peace of the District. Now comes the crowning act of his existence as a Ben B'rith. It is not necessary to reiterate the differences which have called forth the celebrated ultimatum from the Executive Committee of the Order. Everybody remembers them, but not everybody knows where they originated. The news of the passage of the endowment amendment having reached here, the General Committee called an advisory committee of P. G. P. to devise ways and means, of how to comply with the provisions in the constitution, without letting the members feel the sharp edge of the law. Everybody was willing to lend a helping hand except Bro. Kaplan. He wanted the law carried out to the letter, or else bid defiance to the Constitution Grand Lodge on so called "States' rights" principles. Compromise he never would. Knowing fully the temper of this District in regard to the strict carrying out of the law, he invited a difficulty by the above declaration. But then that was the very thing wanted. The opportunity was too good to be allowed to pass by. The District was at once set aflame. The word "russianizing" was eagerly caught up and made the most of. *That ritual* had to do service once more. Constitutional lawyers sprang up like mushrooms over night. Now, some of them were even willing to concede the right to the Constitution Grand Lodge of making rituals, but to interfere in our financial affairs, never! All sorts of artifices and devices were resorted to to mislead the members. Some of the latter, whose vocation would not permit them to study the question, had an idea that all moneys would have to be sent to a central office in New York. These members were quietly allowed to remain in that delusion, and were, if necessary, strengthened

Digitized by Google

in their belief by innuendoes. Such was the state of affairs here a month ago, when Brother Kaplan, the uncrowned king, sat on his high horse contemplating, what? ——— let his own conscience be his accuser. The Grand Lodge met, and with it came another two hours harangue from the brother. Lord Chatham's theory on taxation for the support of the Government was made to do service in the computation of premiums on life insurance. The mere introduction of a certain resolution by another bellicose brother in District Grand Lodge No. 6 was made to appear as the action of said Grand Lodge. Black was to appear white, and out of the Arizona desert was made an orange grove in blossom. Well, Brother Kaplan defeated the thirty dollar law. Could he go any further? Oh, no; cooler counsel prevailed, and thanks to Brother H. Schwartz, who rose to the level of a patriot, a real lover of the Order, a conflict was avoided. A compromise was passed, and Brother Kaplan being compelled to submit, is now quietly awaiting the next opportunity for an agitation. What it will be the Lord only knows. One thing we are quite sure of, and that is: you will certainly find him on the other side. The brother has his admirers, and it is true that the figure stands out in bold relief, but whether there is anything there worthy of emulation, we allow the reader to judge.

Next in line to our hero is his trusted lieutenant, Brother A. Badt. He is a man of excellent abilities as a legislator, and of superb qualities as a hater, besides having the palm voted him as the most inconsistent man in the Grand Lodge. Deep down in the lower levels of his heart there is a hatred againt the Constitution Grand Lodge, which no amount of pleading can eradicate. He claims to be the author of a ritual in *excellent English*, which remained as one of our eminent lawyers would say, "an arrested development," and he blames the Constitution Grand Lodge for its early demise. Right or wrong, Brother Badt will therefore always be against the Government, and when circumstances will prevent him from taking part in open battle, he will carry on a guerilla warfare from the wilds of Nevada.

Following the above is our friend, Bro. William Saalburg, who frequently objects to his company, but, strange to say, never tries to get out. He is a good Ben B'rith, having served the Order thirty-three years (so he has been claiming ever since we knew him) and being initiated in old Ber Sheeba Lodge, a fact which must not be forgotten. The crime, which in his estimation has put the Cain mark upon the brow of the Constitution Grand Lodge, is the removing of the shepherd's crook from the lodge room. And therefore, he will never acknowledge the right of that body to legislate

Digitized by Google

for us on the endowment question. But then, Bro. Saalburg's memory is at fault, otherwise he would have remembered a little document he signed at the Chicago Convention, in which the inexpediency of an endowment enactment by the Constitution Grand Lodge was set forth, but wherein the right of that body to enact such a law was never questioned. However, Bro. Saalburg has repented at the eleventh hour, and was heart and soul for the union. We shall forgive him, if he promises never to mention that shepherd's crook again.

And now comes our own, our darling brother, I. N. Choynski. To say that this agitation proved a veritable bonanza for our friend, does not half express it. Individual liberty or governmental restriction, sovereignty of lodges or paternal enactments, a thirty dollar law or a go-as-you-please policy, the loss of the district charter or the preservation of the Order, all are matters which concern him but very little. He is pre-eminently a journalistic trapeze performer and contortionist, and as such he is always in search of a large field. This controversy from his standpoint was a first-class comedy, in which he was called upon to play a star engagement, and no matter who was hit, he took full elbow room for his stale jokes. The man is harmless, and we assure our brethren in the East that his opinion is by no means *Public Opinion*, and *Maftir* is not Torah.

These are the men who, with a number of assistants, presumed to be able to lead this District in a revolt against the supreme authority in the Order. Thank the Lord, the pupils were wiser than their masters! Love and affection for the name B'nē Brīth took the lead, while jealousy, envy and hatred, shackeled and chained, had to follow. Let henceforth *peace* be the pass-word for District No. 4.

I. J. ASCHHEIM.

SAN FRANCISCO, CAL., February 1, 1887.

THE ENDOWMENT PROBLEM IN DISTRICT NO. 3.

Hon B. F. Peixotto, *Editor* MENORAH.

DEAR BROTHER: The February number of THE MENORAH contained a very interesting letter by our good Brother A. T. Jones, of Philadelphia, wherein he says: "In 1886 our Grand Lodge (District No. 3) adopted the present laws (on Endowment), which went into operation April 1st, and are based upon the 'Bush plan.'" He admits that, "had the present law been enacted ten years ago, how different would have been our present position! A fund of over $150,000

Digitized by Google

would have accumulated, instead of which an absolute deficiency in the first year will surely be the result." And, in conclusion, he asks: "will the esteemed editor or Bro. Bush point out any remedy for this unfortunate condition of affairs?"

Now, as you refer this to me as an expert, I deem it my sacred duty to respond.

But first let me say, that our esteemed Bro. Jones, who was the Secretary of the Constitutional Convention in March, 1885, should know best that the "Bush plan" required $1.50 and not $1.35 per month; and that the Committee on Endowment had changed this proposed rate of $18 to "not less than $15 annually," expressly stating that: "While the Chairman of the Committee may be fully justified in proposing $18 annually as THE LOWEST amount required in some Districts for the safety and perpetuity of the Endowment, we believe that in Districts with a *younger* membership, and where the investment of funds at a higher rate of interest than five per cent. can safely be made, the annual contribution need not be more than $15, at least for the present." Hence, the Convention decided, *against my advice*, to adopt the rate of "*not less* than $15 for $1000," leaving it to the respective Districts, wherever this minimum should be found insufficient, to make a proper adjustment adapted to its condition.

What this condition is in District No. 3, and what it should do, I stated two years ago in the *American Hebrew*,* from which I quote the following, being a clear and full answer to good Brother Jones' question: "The average age of our brethren in District No. 3 is somewhat more advanced than in any other District, and *no* reserve fund has been allowed to accumulate, consequently assessments at the rate of $15 per annum would have to be raised to $18, and to $20 within ten years, to make good the error of the past and secure the stability of the endowment for the future. Were this District to continue under its present plan, of paying just enough to produce $1000 at each death, its members would also be required to pay annually increasing amounts, and this without limit, as the mortality will increase with advancing age, and it would make but very little difference, whether the membership remain about the same or continue to decrease." . . . . . .
"But it would be *better* to reduce the endowment to $500, making the tax $9 annually, than to promise twice that amount for $15. An

* July 17th, 1885. Reprinted in my book, "Our Widows' and Orphans' Endowments," pages 182-188, and also in the *Jewish Record*, I believe.

Digitized by Google

endowment of $500 which is SURE, is by far more valuable than one of $1000, which is a DELUSION. The aggregate lodge dues would thus be reduced, instead of being increased; you will get new young members, and members who do not join for the sake of an endowment. Let these and all who hanker after *cheap* insurance get it elsewhere. You might then, also, allow young, unmarried men to join your lodges without contributing to the Endowment Fund until they get married."

"This is what District No. 3 should do. I would have much preferred to tell you that with some zeal you might be able to secure an increase of membership and increased benefits; that you might keep down the death rate at about one per cent. for ever, as others have told you before. It would be pleasanter to tell you what you like to hear, than to tell you what you need. But sweet, deceiving flattery brings mischief and ruin, while truth, though bitter, brings life and prosperity."

This is verbatim what I wrote and published; but District No. 3 disregarded my advice. Now, according to the statistical statement, compiled after much labor by the Secretary of this District, my assertion about the age of its members proves well founded. The number of deaths which it has to expect is 50 in one year. At $16.20, the rate of contribution adopted by this District in January, 1886, the receipts will be $46,000 only, whilst at $18 they would have been $51,500, leaving a very small surplus, *insufficient* to form the necessary reserve fund.

District No. 3 seems not restricted, like some other Districts of our Order are, to *uniform* contributions; hence I would recommend the adoption of GRADED RATES as hereinafter specified, both for its *present* as well as for its *future* members. There is *no* equitable reason why present members should pay less than future members of same ages, there being now no accumulated reserve fund.

These graded rates could and should be lower even than those established in your endowment law of January, 1886, as will be seen from the following table, based on the statistics furnished by the Secretary of the District, and computed from the American mortality table:

Ages, from to	Number of members		Death rate per 1000		Probable mortality	Contributions, monthly—yearly	Amount realized thereby
21-30	269	×	8	=	2.152	@ $1.25 or $15	$ 4,035
31-40	769	×	9	=	6.921	@ 1.50 or $18	13,842
41-50	846	×	12	=	10 152	@ 1.75 or $21	17,766
51-60	632	×	20	=	12,640	@ 2.00 or $24	15,168
61-70	270	×	45	=	12.150	@ 2.50 or $30	8,100
Over 70	81	×	75	=	6,075	@ 2.50 or $30	2,430
Total members 2867					Mortality 50		Total $61,341

Fraternally,

ISIDOR BUSH,
Actuary.

Digitized by Google

A LODGE IN THE LAND OF THE PHARAOHS.

CAIRO, EGYPT, January 24th, 1887.

To the EDITOR of THE MENORAH.

It does not occur very often, I think, that you receive communications concerning Jewish affairs from this city, although much could be written about the condition of the Jews in this far distant land.

The Portuguese (sephardim) as well as the German (ashkenesim) communities (if they may be called communities at all) are in a very disorganized state, for they have neither a rabbi nor regular instruction in religion and worship.

In order to remedy this pitiable state of affairs, a number of the German-Israelitish community came together about a year ago and determined to establish a lodge of the Order B'nē B'rīth, which has exercised so much good in America and Germany, and whose aim it is "to unite all Israelites in the work of promoting their own highest interests and those of humanity in general. and to develop, elevate and defend the intellectual and moral character of the Jewish race."

For this purpose, application was made to the Executive Committee in New York, which high body granted their petition and charged Ex-President Siegmund Simmel, of Berlin, with the installation of a lodge in Cairo.

As the arrival of Mr. Simmel in Cairo was announced for Tuesday, the 11th inst., a deputation, consisting of two gentlemen of the above-mentioned association, went to Alexandria, where they received the representative of the Constitution Grand Lodge, and, upon his arrival at the depot there the same evening, Mr. Simmel was greeted most cordially and most enthusiastically by a large deputation.

After the necessary conferences with those who have joined the association, Mr. Simmel duly and solemnly installed the new lodge on Sunday, 3 o'clock P. M., January 16th, the name of Maimonides Lodge being adopted in memory of the great philosopher and historian, Moses Bar-Maimon, who resided here in 1166.

Afterwards the election of the officers of the lodge took place, the President. Mr Louis Grünberg, was given the necessary dispensation, and then Mr Simmel declared the lodge to be legally constituted. The inauguration ceremonies being over, a banquet was served in honor of Mr. Simmel, in a large hall adjoining the lodge-room, at which all the members, 41 in number, took part. The

Digitized by Google

first toast was given by Mr. Louis Grünberg in honor of the Executive Committee in New York, to which Mr. Simmel responded with a toast for the Maimonides Lodge; further toasts followed on the part of Messrs. Casimir and Louis Penner to the deputy grand, Mr. Simmel; to the Grand Lodge in Germany, at Berlin, to which the latter toasted, for the President of the new lodge and the welfare of its members and their wives. Mr. L. Grünberg toasted furthermore for the President of the Grand Lodge of Germany, Dr. Fenchel, and the Montefiore Lodge of Berlin.

Great enthusiasm prevailed at the banquet, which was not closed until midnight, and joy and cheerfulness were evoked to the highest degree. The inauguration of the new lodge may be viewed as an auspicious event. Henceforth a new era is dawning for the Jews of the Orient, bringing with it a spirit of peace and harmony, realizing what the Order B'nē B'rīth aims at, and that towards which every brother has vowed to contribute with heart and soul, for the weal of Judaism and humanity at large! S. S.

THE NEW JEWISH SEMINARY.

This new Jewish institution is steadily progressing. There are thirteen or fourteen in the Preparatory Department, which is under the charge of the Rev. Dr. Drachman as Preceptor, with the New York ministers as Lecturers, viz.: Drs. Kohut, De Sola Mendes, Pereira Mendes, A. Wise, Rev. H. S. Jacobs, and Rev. S. Morais, of Philadelphia.

There are numerous applicants for the higher classes, which it is expected will be started in a few weeks.

The scheme of the Seminary is to educate Jewish ministers who will not preach rationalistic views, destroying all that is sacred, and building up no Judaism in its place. The continued preaching of views which deprive Judaism of its essential beauties is much to be deplored, and it is to an institution like this that we look for remedy. Judaism is Judaism. There cannot be a Judaism in America different from Judaism in London; nor a Judaism of Cincinnati different from a Judaism in New York. The Seminary deserves the support of all Hebrews who want the next generation to have a Judaism with, at all events, some resemblance to the Judaism which has lasted so many centuries in so many lands, but which, somehow—so say the radicals—is not good enough for either this land or this end of the present century. IBRI ONOCHI.

Digitized by Google

Literature, Art and Miscellany

The Anglo-Jewish Historical Exhibition will be opened at the Royal Albert Hall in London in April next, under the auspices of a Committee which comprises the leading authorities on archæology, history and art.

Numerous articles of great interest and entire collections have already been promised and will be brought together for the first time. The Committee earnestly request the loan of all objects having a bearing upon the aims of the Exhibition. Exhibitors forms can be obtained from the Hon. Secretaries, Messrs. Joseph Morris and Isidore Speilman. Fred. D. Mocatta, Esq., is the President of this Exhibition, a guarantee of its high character and of its success

---

Mr. B. S. Marks, the well known English portrait painter, has completed his painting of Lord Rothschild which is to be presented to the United Synagogue of London, by Mr. Lionel L. Cohen, M. P.

The *Jewish World* speaking of the picture says: "The merits of this work as an art study will be found in fidelity of portraiture to his subject, fine form in composition, and great technical skill in that exacting art-ethic, draperies. The voluminous folds of a Peer's official scarlet state robes might well have proved a very inharmonious environment rather than, as here, the fitting garb of a noble, refined and intellectual personality. It seems fitting that an historic event of the first Jewish Peer of Britain taking the oath in the House of Lords, should be commemorated on canvas, and we congratulate the gifted artist on the honor of having this work confided to his hands."

Jewish aid in the Revolution.—At the time of the Revolution there lived in Philadelphia a very rich Jew, Hayim Salomon. He advanced to the Government $658,007.13, and afterwards supplied the Government officers and the delegates to the House with the means to defray their ordinary expenses. Madison wrote in 1783 to the authorities of Virginia: "I am fast relapsing into pecuniary distress and the case of my brethren is particularly alarming. I have been for some time a pensioner upon the bounty of Hayim Salamon. The kindness of Hayim Salomon is a fund that will preserve me from extremities, but I never resort to it without great mortification, as he absolutely rejects all recompense."

American Art.—In his speech on entering upon his second term as President of the Union League Club of New York, on the 10th ultimo, Chauncey M. Depew made an earnest appeal to a hall full of club members for the support of American art, urging that it was the principle, the duty, the pleasure, the opportunity of the club to encourage and sustain American art,

Digitized by Google

and suggested as a means the lining of the walls of the club with meritorious works of American artists. He declared that while an American artist was often obliged to sell his work at $200 at the best to his own countrymen, by crossing the Atlantic and prefixing an "o" or affixing an "i" to his name he could get ten times as much. The portion of the speech referring to American art was referred to the art committee with instructions to print and circulate it among the members.

Mr. Corcoran's Latest Art Purchase.—We clip the following from the Washington *Critic* of the 18th ult.: Some months ago attention was called by the *Critic* to the portrait of Sir Moses Montefiore on exhibition in the Corcoran Art Gallery, painted by the American artist, Mr. George D. M. Peixotto of New York. Mr. Corcoran has just purchased the portrait and presented it to the gallery. There is a fitness in this purchase, aside from the great merit of the painting, for it was in 1855 that Mr. Corcoran dined with Sir Moses in London, and he has the liveliest recollection of the kindness and courtesy of his English co philanthropist. Thus one good and true man honors the other, and gives to the patrons of art and lovers of humanity the likeness of one of the greatest human benefactors, and, to crown all, American art and artist are recognized, for the portrait is a masterpiece in breadth of style, technique and coloring.

The Anglo-Jewish Association.—Sir Julian Goldsmid, Bart M. P. President of the Anglo-Jewish Association in a recent address said:

"At present between 8,000 and 9,000 children in the East are being educated under the auspices of the French "Alliance" and the Anglo-Jewish Association. There are already forty-nine ordinary schools and twenty-four technical schools; and although the inhabitants of the respective localities give what they can towards their maintenance, considerable amounts have to be contributed by the two parent societies. These figures, large as they seem for the limited income of the Anglo-Jewish Association, are but a small proportion of the multitudes of Jewish children in barbarous countries who are still left without any provision for their education.

* * * * * * *

"The Anglo–Jewish Association is not of the nature of a local institution. In conjunction with the Universal Israelitish Alliance, it exists for the protection and promotion of Jewish interests throughout the world. Hence the obligation to maintain it rests equally upon all persons of the Jewish race and religion, irrespective of locality and condition of life."

We can bear witness to the good work of the Anglo-Jewish Association, which in connection with the Alliance Israelite has so greatly contributed to ameliorate the condition of the Jews of the East. We are happy to know our friend is now at the head of this noble society of which his illustrious uncle, the lamented Sir Francis

Digitized by Google

Goldsmid, was one of the principal founders. It is to be hoped that some of our more intelligent American co religionists will feel inspired to aid in the enlightened philanthropic work of our English and French brethren.

Christ before Pilate.—Mr. Sedelmeyer, the owner of Munkacsy's great painting of "Christ before Pilate, has sold the same to Mr. John Wanamaker, the popular Bon Marche merchant of Philadelphia, for $120,000. This price is believed to be larger than was ever paid for the product of an artist's brush in this country. The largest sums hitherto expended for paintings, as far as is known, were for Meissonier's "1807," for which A. T. Stewart gave $60,000; Jules Breton's "Communicants," which was purchased at the Morgan sale by Donald Smith, President of the Bank of Montreal, for $45,000; J. B. Vibert's "Missionary Story," bought at the same sale by C. P. Huntington, for $25,000; and Brozek's "Columbus before Ferdinand and Isabella," which was secured by Morris K. Jesup for $20,000 and presented to the Metropolitan Museum of Art.

"Christ before Pilate" was completed by Munkacsy four years ago, and was considered by him as the crowning effort of his artistic career. The size of the canvas is 24 by 17 feet and the figures, of which there are thirty-six, are life size. The artist spent over a year in executing the work, designing and sketching each figure separately before placing it on the main canvas. Since its completion it has been exhibited in Paris, Brussels, Vienna and other Continental cities and viewed by over a million people. It was brought to this country in November last, and during the eighty-three days it has been exhibited in Twenty-third-st. is said to have been seen by 108,000 persons.

BOOKS RECEIVED.

Hamlet, Printul Danemarcei, translated into the Rouman from. William Shakespeare by Dr. Adolph Stern.

Historical and Political Science: John Hopkins University studies, edited by Herbert B. Adams, Fifth Series, III.—The City Government of Boston, by James M. Bugbee.

Fermecatorul, by Jacob Psanter, with preface by Dr. M. Gaster, Craiova, 1886, an elegant little volume of peculiar interest.

Les Provinciales by Blaise Pascal, new edition with notes by Charles Louandre, Charpentier & Cie, Paris.

Eleventh Annual Report of the President of the John Hopkins' University, Baltimore, Md.

Reviews of the above publications will speedily appear.

Digitized by Google

Monthly Record

Young Men's Hebrew Association, Brooklyn.—An interesting meeting was held at the Temple Beth Elohim, Keap Street, in the Eastern Division, on Sunday, the 13th ult., under the auspices of the recently formed Young Men's Hebrew Association of Brooklyn, for the purpose of enlisting the adhesion of the Israelites of that section of the city, and as a result a very considerable addition to the membership was obtained.

We clip from the Brooklyn *Eagle* and *Times* the following synopsis of the speeches delivered on the occasion:

Mr. Morris Adler, one of the Trustees of the Temple, and First Vice-President of Grand Lodge No. 1, I. O. B. B., said:

LADIES AND GENTLEMEN,—In the name of the residents of the Eastern District, we welcome you to this temple. The object of the meeting has been stated in the circular issued during the week. The Young Hebrews of Brooklyn, Western District, having organized a Young Men's Hebrew Association, are desirous of enlisting the sympathy and co-operation of their co-religionists in the Eastern District—men and women. I therefore have the honor to introduce to you the gentleman who has been selected by the Hebrew young men of Brooklyn as their president and leader, Mr. Ferdinand Reiss, who will address you, not as of any particular section, but as residents of the Eastern District, Western District, Northern, Southern, and all other sections of the city. (Applause.)

Mr. Ferdinand Reiss, President of the new Society, said: It is wrong for an Israelite to deny Judaism, a religion founded on virtue and morality—the mother of all other divine faiths. It is not a just thing for Christians to have prejudice against Judaism, the parent of Christianity. The Young Men's Hebrew Association have taken upon themselves to teach by their advice and example, young and old, what it is to be really and not nominally Jews; that the Jewish religion is a loving and life-giving one, and to convince our Christian brethren that the fundamental law of Judaism and that of Christianity are the same, both teaching that it is one's duty to love his neighbor as himself. Eminent and well-known men are here to address us.

Ex-President of the Board of Aldermen of N. Y., Hon. Adolph L. Sanger, said:

LADIES AND GENTLEMEN,—This is a cold afternoon, but we should make the meeting as warm as possible. The establishment in Brooklyn of a Young Men's Hebrew Association is a new project. A new project generally finds it difficult to make headway in the world. Experience teaches us, however, that all good things have small and humble beginnings, and we should not be discouraged because there is not a larger crowd to-day in this beautiful edifice. I had the honor of being present at the first meeting in New York for the organization of the YoungMen's Hebrew Association there. Only twenty-five persons attended that meeting. Our efforts were characterized as futile; we were told that there was not room in New York for such an association; that other attractions, such as the theatres, etc., were so numerous that young men would never take to the association proposed. Cold water was also thrown on the movement in other ways. We were told that if we started and failed we would be in a worse predicament than if we had never begun. But those engaged in the movement were possessed of the requisite zeal,

Digitized by Google

courage, and enthusiasm; so they organized, elected their officers, and hired a room, and the good work commenced by them fifteen years ago has branched out all over these United States, till at present there is hardly a city or town of any account in the Union which has not its Young Men's Hebrew Association working in the interest of Judaism and humanity. It is now proposed that the Young Men's Hebrew Association of Brooklyn shall include Hebrews of the entire city. It may be asked what is its purpose? Unfortunately in this country business interests and engagements are such that young men cannot always be drawn to places of worship on the Sabbath. Thence the danger, unless some sufficient counter influence can be employed, that apathy of many young men may increase with years till they become wholly indifferent to religion. Associations such as this throughout the country will keep the Hebrew people together in the bond of brotherhood and keep alive their religious sympathies. In this materialistic age it is difficult to keep young men together for the purposes of instruction. When evening has come and the day's toil is over they do not want instruction so much as amusement. Can we not combine instruction with amusement? The New York Young Men's Hebrew Association has done this, and has not only promoted the interests of Judaism, but has aided self-culture, moral and intellectual. It has entertainments from which instruction as well as amusement is derived—lectures, music, recitations, etc. Able lecturers not only Jewish, but Christian, are engaged. The Young Men's Hebrew Associations should be aids and adjuncts of the congregations. Thus, as Jews you will cherish all that is good for your moral and intellectual life. (Applause.)

Mr. Sanger here showed that in times past when a young man left college he went to business, and having no such beneficent influence as the Young Men's Hebrew Association, the leisure time now devoted to self-improvement was generally wasted frivolously in the billiard-room or at the card-table.

Hon. Benjamin F. Peixotto, ex-Consul to Roumania, and now editor of the Jewish monthly, MENORAH, followed in an address that was replete with bright thoughts. He was particularly eloquent and impressive, and urged the young men to lose no time, but to join at once. His references to Judaism, the persecutions that have been visited upon the people of Israel, their sturdiness and firmness in their faith, and their devotion to principle and duty, were masterly, and served to arouse his listeners to enthusiasm. He was frequently interrupted with bursts of applause. Mr. Peixotto among other things, said, that he was much gratified by the speech of his friend and co-worker, in which he had stated, for the benefit of the new association, their fifteen years' experience in the New York Young Men's Hebrew Association. This society had become a missionary society to thousands of Hebrews coming to these shores who were in need of influences and examples to keep them from going astray. Within the past twelve years from 50,000 to 60,000 Jews had arrived in New York alone—strangers in a strange land, and from their ignorance of our language were scarcely better off than if they were deaf and dumb. They came here driven by relentless persecution. Under good influence they might be made worthy members of the body politic. Give to a youth who discovers a taste for reading the means of cultivating that taste, and you furnish him with a weapon which will preserve him in all the vicissitudes of life. A man whose heart has known the refining influence of literature, has companions who will never prove false to him—true friends when all others have fallen away. Death cannot rob a man of the companionship which books afford. But there is no literature like Hebrew literature; it is the foundation of all other literatures, The Bible had for its contributors, from Moses downward, inspired scholars and sages. Those Hebrews who cultivated acquaintance with Hebrew literature could understand why they are Jews. He who was called the Saviour, that beautiful

Digitized by Google

character, was a Jew. His twelve apostles were likewise Jews. That they were revolutionists and suffered as rebels against the Roman power was only a historical fact. The Hebrew religion was the only true and pure religion, because it asked assent to nothing that is irrational. The Hebrews worshiped but one God, the Supreme cause, the beneficent Father of all mankind. This the simplest child could understand. One maxim of Judaism was to love God and to love our fellow-men as we loved ourselves. Another maxim was, "Love man first, because man is a work of God, and it pleases God when we love what we can understand. The Almighty we could not understand." Agnostics and atheists could not comprehend God. No one could till resolved into the spiritual condition. About twenty-two years ago, continued the speaker, I planted the first Young Men's Hebrew Association on the shores of Lake Erie. It consisted, when organized, of about half-a-dozen young men. Among the books we had were some of Shakespeare's plays—"Coriolanus," "Timon of Athens," the "Merchant of Venice," "Taming of the Shrew," "Midsummer Night's Dream," and "Twelfth Night." With Shakespeare we stood upon the Rialto and met Shylock, that magnificently-drawn character, though neither Jewish nor Christian, it being Shakespeare's object to show through him the prejudices of the period. The speaker then described the prosperity of the association on Lake Erie, which soon rapidly increased in membership and means, and heard lectures by Hon. Charles Sumner, Rev. H. W. Beecher, Rev. Dr. R. H. Storrs, Dr. Raphall, Edward Everett, Theodore Parker, and others. This led him to allude to men who had, under the more favorable circumstances afforded by this country, worked their way by individual effort to the highest honors; and he mentioned, amid much applause, Abraham Lincoln, who, had he lived till yesterday, would have been 67 years old. He also mentioned Andrew Johnson, father of the Homestead law. Toward the close Mr. Peixotto said: All men will say to the Hebrew yet, "Thy people shall be my people, and thy God my God." He closed, invoking the youth of Israel of both sexes to cultivate pure ideals, which the literature and history and poetry and music of the Hebrews so richly afforded, and by repeating Longfellow's "Psalm of Life."

The Rev. Dr. L. Wintner, pastor of Temple Beth Elohim, said: My friends, sixteen years ago, if I'm not mistaken, the persecution of the Roumanian Jews became so flagrant, and so outraged civilization, that every Jewish preacher took for his theme the persecution in Roumania. During the feast of Purim that year I had preached on the great persecutor, Haman, at St Paul, Minn., with special reference to the Roumanian Jews, and urged that something be done for their relief. A few weeks later I received a letter from Bucharest, in which the writer stated that he had read a report of my address in a Jewish paper, and that a man who had stood up with such enthusiasm for these persecuted people could do a great deal, and that I should collect some money for them. The writer of that letter was Mr. Peixotto, the gentleman who has just spoken to you, and who was then battling for the emancipation of our brethren in that distant land (Applause.) Dr. Wintner then took occasion to remark, among other things, that the young men were not so regular as they should be in their attendance in the synagogues. He thought that while it was proper to study the lives of our American heroes, they should also learn something about the heroes of the Hebrew nation. At a meeting several years ago, for the purpose of establishing an Eastern District library, some one exclaimed that the Eastern District was merely an annex to Brooklyn; whereupon some one else said: "And Brooklyn was but an annex to New York;" upon which a third cried out: "Then the Eastern District is an annex to an annex." (Laughter)

Digitized by Google

But some one else said: "No; Brooklyn is an amendment to New York;" and this was followed by the remark: "Yes; and the Eastern District is only an amendment to an amendment." (Laughter.) This kind of banter cannot be indulged in now at the expense of the Eastern District; it has got beyond all that.

The Rev. William Sparger made a brief address in German in favor of one association for all Brooklyn.

The Rev Leon Harrison, of Temple Israel, Brooklyn, spoke in a humorous vein. He hoped he might do better than the young Episcopal clergyman, who, having lectured before his bishop, the latter said to him: "I have heard in your sermon something I never heard before" And on the young divine venturing to ask his Grace what it was, the bishop answered: "My young friend, I heard the clock strike twice." But, though striking was the order of the day, he, Mr. Harrison, would not yield. (Laughter.) He would say a few words which should be to the rhetorical repast which the audience had just partaken of as the little cup of black coffee at the end of a dinner He then made an earnest appeal for energetic action on the part of all enrolling themselves in the new society. They should take the pyramid of Judaism, which had been so long on its apex, and should turn it so that it should rest on its natural basis—the great Jewish community among whom they lived. To the laity they would have to look for success.

Counsellor M. J. Harris, Vice-President of the association, said that there are at present 350 to 450 members, and that before the close of the year the number would run up to 1000. Success he said, seems assured. Speaking of the amendment to the amendment, he said that, as a representative from the other section of the city, he would accept the amendment. What is needed, he said, is unanimity of feeling and purpose. In the association there will be no Eastern District or Western District—all shall be one.

The officers of the organization are—Ferdinand Reiss, President; M. J. Harris, Vice-President; Henry Bloch, Treasurer; H. Sternberger, Financial Secretary; and J. Wechsler, Recording Secretary.

The Hebrew Union College.—The Executive Board of the Union of American Hebrew Congregations have issued an appeal invoking the assistance of congregations and individuals towards the support of the Hebrew Union College.

As under the laws, tuition is entirely free in the College, as students have to be furnished with every necessity of life during the entire period of eight years required to enable them to complete their studies (including those in the High Schools and the University of Cincinnati), and as many of them enter the College immediately after leaving one or the other of the Orphan Asylums where they have been brought up, and as the income for support is wholly dependent upon the dues paid by congregations and voluntary contributions, it will be seen at once how urgent is the appeal and how speedily it should be responded to. Especially is this so as up to this time no endowment has been made to the College and its maintainence devolves upon the free will of the Jewish community at large.

It is now twelve years since the college was opened and during that time it has borne good fruits which are spread in all directions.

Digitized by Google

It has graduated twelve rabbis and licensed one teacher of religion. The following rabbis now occupying pulpits in various sections of the United States, graduated from its halls and have already won considerable reputation for learning and worth. These are: Reverends Israel Aaron, Fort Wayne; Henry Berkowitz, Mobile; Joseph Krauskoff, Kansas City; David Phillipson, Baltimore; Louis Grossman, Detroit; Max Heller, New Orleans; Isaac Rubenstein, Leavenworth; Joseph Silverman, Galveston; Joseph Stolz, Little Rock; Samuel Freuder, Rochester; Moses P. Jacobson, Macon; Tobias Schanfarber, Toledo; and Isaac Rubenstein, Owensboro.

The College building is situated in a beautiful locality in Cincinnati and has cost the very moderate sum of $30,000. It has a rare library of Hebrew lore and literature valued at over $15,000. Thirty three students received instruction last year. The annual expenses are about $12,000 to $15,000 but on this point we are not not quite sure. In all cases the Union College should be sustained, and the support should be most liberal from all who שלא תשתכח תורה מישראל would not have the law depart from Israel.

A grand Masquerade Purim Ball, in aid of the building fund for the new Temple in Harlem, will be held at the Lexington Avenue Opera House on March 12th. An unusually attractive programme has been arranged, which from present appearances bids fair to eclipse the recent affairs of the Liederkranz and the Arion.

David L. Einstein, Esq., has sent his check for $1000 to the Secretary of the Hebrew Technical Institute, New York. A worthy example, which we hope will have many imitators.

Affairs of the Order

The Order in Germany.—On the 16th of January, Lessing Lodge held its second annual celebration. G. Pres. Bro. Julius Fenchel and other prominent and esteemed brethren were present. Before the opening of the festival, eleven new members were initiated. and the new officers installed. The lodge numbers 160 members, and is exceedingly successful in all its noble endeavors.

Two highly interesting and able lectures were delivered this winter before the lodge, one by Dr. Badt, on "Hellenism and Judaism," and the other by Dr. Kayser, on "The Unsolved Problems of Science."

Two entertainments arranged during this time were a great success, in their sociable and ethical character. The good work of

Digitized by Google

the ladies deserves high credit; their zealous efforts in the realization of our coveted ideals appear most valuable to our task of furthering the interests of humanity. A movement is now on hand which engages all the attention and time of our ladies—a fair is in preparation—and the capital realized from the sale of different hand work of the ladies will be devoted to a fund providing fresh air excursions to poor Jewish children during the summer vacation.

A literary circle has also been organized by the ladies. Once a week they and their husbands meet at the rooms of the lodge and pass the evenings in instructive and delightful entertainment.

District Grand Lodge No. 1.—Up to the hour of going to press we have failed to receive the official report of the proceedings of the recent Annual Convention of District Grand Lodge No. 1. To the synopsis given in our last we have only to add that the proposition to make the Maimonides a free library, was after a warm debate referred to a Committee to report next year. Brother Thalmesinger's eloquent appeal in behalf of the Hebrew Technical Institute resulted in the adoption of a resolution favoring support of this noble object and instructing the Secretary of the District to send circulars to all the Lodges invoking the aid of members of the Order.

District Grand Lodge, No. 4. (Pacific States.)—The Twenty-fourth Annual Meeting of Grand Lodge No. 4, was held in the City of San Francisco, California, on January 23,24,25, and 26. The meetings were characterized by an unprecedented attention on the part of the Representatives present, the all absorbing topic of Endowment being the magnet which attracted interest hitherto unknown in the District. The legislation adopted was of a nature to restore harmony and prosperity. Twenty-four of the twenty-nine Lodges were represented, and 117 Representatives responded to their names at roll-call, of a total 126 accredited.

The Financial and Statistical Report of the Secretary, Brother Louis Blank, shows the following recapitulation: Total number as per last report, 2,136; Initiated during the year, 57; Affiliated, 19; Reinstated, 1. Total 2,213. Lost by Suspension, 49; Lost by Withdrawal, 24; Lost by Deaths, 25. Total 98. Total membership December 31, 1886, 2,115; Showing a decrease of 21 members since the last Report. Expended for Charities by the Lodges of the District.—Total amount of Benefits paid to sick, $11,952.65; Amount paid for Funeral Benefits, $2.373.85; Donations to members by their respective Lodges, $1,147.95; Donations to non-members and members of other Lodges, $290.70; Amount contributed to the Endowment Fund, $56,446.00; Total $72,211.15. Total amount of Funds of subordinate Lodges, $98,476.35. Total amount of Funds of the Grand Lodge, $74,730.28. Total amount of Funds in the District, $173,204.63. The following Officers were elected for the ensuing year: Marcus Levy, Ophir, 21, Grand President; Albert

Digitized by Google

Elkus, Etham, 37, First Vice-President; Joseph Rothschild, Unity, 273, Second Vice-President.; Louis Blank, California, 163, Secretary; Isaac Lacher, Modin, 42, Treasurer; Gabriel Cohn, Ophir, 12; Herman Enkel, Unity, 273; Herman Abrams, California, 163, Trustees; Jabob Davis, Golden Gate, 129, Sergeant-at-Arms; B. Rosenberg, Miriam, 56, Messenger; Dr. S. S. Kahn, Unity, 273, Chief Medical Examiner; Judges of the District Court:—D. A. D'Ancona, Ophir, 21; H. Lowenberg, California, 163; David S. Hirshberg, Oakland, 252; Henry Schwartz, Pacific, 48; Hyman P. Bush, Pacific, 48.

The following were the principal amendments to the General Laws adopted, to take effect thirty days after the date of adjournment of the Grand Lodge, being February 27, excepting that portion of the Law, which relates to the Endowment Fund, which will go into effect April 1st, 1887.

1. The minimum charge of admission in any Lodge of the District shall hereafter be; Five dollars ($5) for Candidates between the ages of 21 to 30 years. Ten dollars ($10.) for Candidates between the ages of 30 to 40 years; And Fifteen dollars ($15.) for 40 years and over.

2. Any brother who may have ceased to be a member in consequence of non-payment of dues, may be reinstated within one year, upon producing a physician's certificate and payment of the amount due at the time he ceased to be a member, by a vote of two-thirds of the members present, a motion to that effect having laid over one week. Should, however, an application for reinstatement be made after the expiration of one year from the date of his suspension the application must be accompanied by the amount due to the Lodge at the time of his suspension and shall be disposed of in all respects as provided in Article III., by the Laws relative to the admisslon of members. If the Lodge refuses to reinstate him, the amount paid in with the application shall be returned.

3. Amend Art. VIII., Sec. 1, Part I. (page 44).

9. Committee on Funerals.

Add the following to the same Article and to read as follows:

Set. 23. Upon the death of a member of this Grand Lodge, the President is authorized to summon eight members, whose duty it shall be to attend that funeral. At the discretion of the Grand President he may summon the entire Grand Lodge.

Sec. 24. The funeral committee having been duly notified by the Secretary of the Grand Lodge of the death of a member of this Grand Lodge, they shall at the appointed time report at the Secretary's office and together with the Officers of this Grand Lodge attend the brother's funeral.

Sec. 4. to be 3; 5--4; 6--5; 7--6; 8--7; 9--8; 10--9; 11--10; 12--11; 13--12; 14--13.

4. Amend Sec. 13, Art. XIII., Part I. (page 60--61), to read as follows:

On the death of a member in good standing who leaves neither

Digitized by Google

widow or orphans, the said two thousand dollars shall be paid to any person, persons or institution which the deceased member may have designated in his declaration, entered in the Declaration Book of the Lodge, or if residing away from the city or town where his Lodge is situated, in a declaration prepared as hereafter prescribed. It shall be the duty of the Recording Secretary of each Lodge to keep a book in which members must make a declaration signed by the Recording Secretary of the Lodge, stating to whom said two thousand dollars shall be paid. Any brother who has neither widow nor child and who resides out of the city or town where his Lodge is located, may make his declaration on a declaration blank to be signed by him and two witnesses, acknowledged before a Notary Public and sent to the Secretary of the Lodge. Such declaration shall be operative from the time of its receipt by the Secretary It shall be the duty of the Recording Secretary to send to all such absent brothers a declaration blank by registered letter addressed to them at their last address given by them to the Secretary, and said Secretary must retain the post-office receipt therefor on file in the Lodge. Upon the receipt by him of any declaration from an absent brother, he shall sign his name with the date of its receipt thereon, and paste it in the Declaration Book.

At any time after such directions are entered or pasted in the Declaration Book, the member shall have the privilege to cancel the the same and make other directions entered in said book or written upon a declaration blank in the manner specified above. Should a member die without leaving any declaration, then in that event no money shall be paid, and no payment shall be authorized to be paid to any person by this Grand Lodge.

5. The Endowment amendments were as follows:

Amend the following Sections of Art. XIII., Part I. (page 56.) Section 1, so as to read:

That the right of this Grand Lodge to manage its own property and moneys and financial matters is hereby reaffirmed and declared sacred and inviolable. We deny the right of any authority, other than our own District Grand Lodge, to dictate in the management and control of our financial affairs or to legislate on the Endowment.

Section 2 will read:

The Fund at present existing and known as the Endowment Fund of District Grand Lodge, No. 4, I. O. B. B., shall hereafter be known as the Surplus Endowment Fund, and shall be used for the purposes hereinafter provided, and for no other; provided, however, that a Guarantee Endowment Fund is hereby established, into which all moneys hereafter levied and collected for assessments shall be placed, and from which all endowments due to the widow, orphan or legatees of deceased brethren shall be paid.

Section 3 to be Section 4, and to read:

Section 4. Whenever a death has occurred, and the sum of two thousand dollars is ordered paid from the above Fund, under the provisions of this law, the Secretary shall notify the Lodges of such

Digitized by Google

death, and each Lodge shall, within forty days after such notification, pay to the Secretary for said Fund, the amount of one dollar for each and every member upon its roll, not suspended from the Guarantee Endowment Fund at the date when such death occurred; provided, further, that no more than twenty-four (24) Assessments shall be collected from the various Lodges each year, and not more than two Assessments shall be collected in one month. Should the number of deaths exceed twenty-four, then the assessments for the payment of the Endowments of deceased brethren shall be paid by this Grand Lodge through its General Committee from the Surplus Endowment Fund to the Guarantee Endowment Fund.

Add a new Section to be known as Section 24. and to read as follows:

If at the Regular Meeting of the General Committee in the month of April of each year, less than thirty-one dollars for every member has been paid into the Guarantee Endowment Fund, then the General Committee shall place into the Guarantee Endowment Fund from the Surplus Endowment Fund, a sum sufficient to make the difference between the amount collected and thirty-one dollars for each member borne on the rolls of the various Lodges belonging to this District. The basis of computation shall be made upon the general average of membership during that year.

Amend Art. XI., Part I. (page 53).

By striking out Sections 1 and 2 and inserting the following to be known as Section 1.

All moneys from the yearly revenues of this Grand Lodge shall constitute the Grand Lodge Current Expense Fund, into which all moneys otherwise than the Assessments and the income of the Surplus and Guarantee Endowment Funds shall be placed, and out of which all moneys and appropriations, except the Endowment Assessments shall be paid.

District Grand Lodge No. 6.—In the absence of the official report, not yet to hand, we supplement the following particulars to those given in the MENORAH for February: letters and resolutions of D. G. L.s Nos. 2, 1 and 5 were read relative to change in the government of the Order, and referred to a committee, who reported adversely to letter of D. G. L. No. 2, and a committee appointed to draft a reply in accordance therewith.

Resolution of Bro. Hamburgher, looking to a change in the Organic Law of the Order, was referred to a committee, who reported AGAINST the same, and report of committee was SUSTAINED, only seven votes out of eighty being cast adversely.

The laws on Biennial Sessions, Mileage and Per Diem were rejected, as were also all amendments to the Endowment Laws.

The question of Optional Endowment was submitted, and it was dcided the General Committee should submit to the lodges in the District a law on Optional Endowment for their consideration, when the aw so drafted by said committee is completed.

Digitized by Google

The *per capita* tax was fixed the same as last year, being 60 cents per annum, payable semi-annually.

Two hundred dollars were appropriated as expense to the General Committee, for the purpose of visiting lodges; one hundred dollars to the Alliance Israelite Universelle, as a donation; and one hundred dollars towards assisting Miss Flora Benjamin in her musical education.

The General Committee was instructed to address a letter to D. G. L. No. 8, thanking them for the valuable services rendered this Grand Lodge in the Levy endowment matter, and also for their kindness in sending their photographs.

Total amount of lodge funds were reported at $59,415.24; receipts of lodges during 1886, $55,347.85; total disbursements, $51,394.51.

The following gentlemen were elected officers for the ensuing year, and duly installed by Brother E. Rubovits, the resident member of the Executive Committee of the C. G. L.: President, Samuel Klein, Keokuk, Iowa; 1st Vice-President, Samuel Taussig, Chicago, Ill.; 2d Vice-President, Maurice M. Houseman, Grand Rapids, Mich.; Secretary, E. C. Hamburgher, Chicago; Treasurer, Albert Weil, Chicago; Members of the General Committee, Phillip Stein, Chicago; Max Sonnenschein, Chicago; Endowment Trustees, M. M. Hirsch, Chairman, Chicago; David Adler, Milwaukee; Samuel Woolner, Peoria, Ill.; Sergeant-at-Arms, A. Wolff, Chicago; Trustee of Orphan Asylum, Charles Kozminsky, Chicago; Court of Appeals, D. G. L., L. Hammel, President, Fox River, Wis.; Leon Schlossman, Chicago; Gus. A. Wolff, Grand Rapids; Max Ascher, Milwaukee; S. Marcus, Chicago.

The Convention was composed of the best material, was entirely harmonious, and its proceedings marked by great ability and enthusiasm.

District Grand Lodge No. 8.—The annual meeting of this body took place in Berlin, on the 30th of January, forty delegates, representing all the German lodges, except Zion and Amicitas-Fraternitas, being present.

Bro. Ex.-G. N. A. Joseph Sulzberger, of New York, being in the city, was invited to a seat upon the platform. The report of Bro. Dr. Julius Fenchel (given in our German supplement,) President of the District, was received with applause; also that of tne Financial Secretary and other officers. Bro. Dr. Fenchel having declined a re-election, the following officers were chosen for the ensuing year: President of the Grand Lodge, Bro. Dr. Maretzki; 1st Vice-President, Bro. Haagen; 2d Vice-President, Bro. Dr. Ewer; Secretary, Bro. D. Wolff; Treasurer, Bro. Bergel.

Nine members were elected to the General Committee, seven of whom, under the law, must reside in Berlin. The committee chosen consists, besides the three presidents and treasurer, of Brothers Dr. Julius Fenchel, Jablonski, Dr. H. Hildesheimer, Blasche and

Digitized by Google

Sernau. The Court of Appeals elected consists of Brothers Wolff, Haagen, Fenchel, Hirsch, Dr. Juris Tiemendorfer, Staub and Sachs.

The total funds of the 18 lodges amount to 112,181.99 marks, the reserve fund to 20,270 38 marks, an increase in funds over 1885 of 33,772.26 marks. Number of members of the District, 1496, an increase of 360 over the past year.

Editor's Bureau

A LETTER from our esteemed Brother Julius Bien, dated Thomasville, Georgia, gives the gratifying intelligence of his improved health. May the balmy air of the climate, and the life-renewing aroma of the pine-woods speedily restore our noble friend to sound and vigorous strength.

THE portrait given in our last number of the lamented Nathan Bloom was from a photograph, and was executed by Edward Bierstadt, the brother of the eminent painter, and who himself is no less distin guished, as proven in the present instance, by the great artistic merit of his work and its perfection of execution.

OLD Washington Lodge No. 19 celebrated her 33d anniversary on the 23d ult., by a grand concert and operatic entertainment, which was *the* affair of the season in Jewish circles. The Lexington Avenue Opera House was crowded with a brilliant and joyous assembly, and the programme was executed with thoroughly artistic merit from first to last.

THE installation of a B'nē B'rīth lodge on the shores of the Nile, as recorded elsewhere by our Cairo correspondent, marks another epoch in the history of the Order. The adoption by the new lodge of the name of "Maimonides" is peculiarly appropriate. It was in Cairo that the great philosopher and author, Moses Maimonides, resided from the year 1166, and it was here he died in 1204. He was the physician of the renowned Sultan Saladin, who resided a little over a mile from the city, at Kahira, where Maimonides went daily to visit him. Our brothers have shown an enlightened judgment in naming their lodge after one so illustrious, and we trust it will have an ever-inspiring effect upon their labors. Knowing personally a number of the members (whose acquaintance we made in February, 1882, when visiting Egypt),

Digitized by Google

we feel assured the new planet in the constellation of the Order will become a "bright particular star." Equally to be felicitated are our brethren in Hamburg, Germany, who, in commemoration of his birth in that city, and of his having been one of the chief founders of the B'nē B'rīth, have adopted the name of "Henry Jones" for their new lodge.

We clip the following from our London contemporary, the *Jewish World*, making at the same time our "best acknowledgments" to this ably conducted journal, which is an honor to Judaism:

"The second volume of The Menorah commences with the current number. A new and very handsome wrapper, representing humanity supplicating for light at the Menorah-crowned altar of the Supreme, has been adopted by the publishers. The principal feature in the magazine, Mr. B. F. Peixotto's diplomatic reminiscences, continue to reach a high level of interest.

We publish in another place an article from the pen of Brother I. J. Aschheim of California which at first glance may appear to be in contradiction to the rule of the Menorah i. e.: to exclude all personalities in discussion. A careful perusal of the present paper will indubitably establish that it is not of a personal character and if any doubt on this head was entertained it will quickly disappear in considering the happy vein, the perfect good humor and the high purpose which characterize the article. *Personalities*. mean vindictiveness, calumny, misrepresentations and falsehood. There is no such spirit here. There is nothing but plain outspoken criticism and such criticism is legitimate when in the exercise of its high prerogative (the true purpose and end of all criticism), it seeks the elimination of the spurious and the elevation of the pure and good. All men who take part in public affairs or make themselves conspicuous by public acts or words, are proper subjects—not of slander and abuse—but of legitimate criticism. The object of Brother Aschheim is evidently not to suppress the *irrepressible* but to warn and prevent others from following in such questionable if not pernicious ways. We therefore cheerfully print his contribution—it being moreover couched in proper and decorous language—reserving to those whom he *criticises* the right of reply, *provided* the same model of decorum and good humor is preserved.

Digitized by Google

BENEVOLENCE, BROTHERLY LOVE AND HARMONY.

THE BOARD OF TRUSTEES

DISTRICT GRAND LODGE No. 2, I. O. B. B.

UNANIMOUSLY ADOPTED THE FOLLOWING

Memorial Resolutions.

A seat is vacant in our Board; a beloved hand presses ours no more; the tones of a kind, cheerful voice have been hushed forever! Eyes that looked in sympathy upon all mankind have been kissed to sleep by the Angel of Death, and our records are again darkened—chronicling the loss of our beloved brother,

NATHAN BLOOM.

God, who gave this noble soul to earth for a time, has recalled him, and our sorrowful hearts cannot yet resign themselves to the loss we, in common with all who knew him, have sustained.

As a fellow-worker in our eleemosynary task, our deceased brother was an active participant, always laboring to do good for the benefit of others—ever watchful for best interests of our institution.

When the integrity of this District No. 2 was endangered by its failure to establish a *Widows' and Orphans' Endowment Fund*, and by its defeat in the General Convention of our Order (Chicago, 1874), Bro. Nathan Bloom's untiring efforts, his earnestness and perseverance, averted the dire calamity; and whenever the solid foundation of our institution trembled it was his wise counsel, and the confidence he so justly enjoyed, that strengthened and supported us in its defence.

We, who have worked for years side by side with our lost brother, who have been closely associated with him, and now miss him in our deliberations for the welfare of our fraternity, we add *this tribute of our love and regret* to those of the many others who bewail his death.

His life was gilded by universal philanthropy, true charity, sweetness of temper, and kindness to all. May the traits of his character, his actions in all matters of life, be a beautiful picture upon life's horizon, to which all faces and footsteps longingly turn. Truly it may be said that he leaves behind him "*A good name, which is sweeter than precious ointment.*"

We condole and sympathize with the bereaved widow and mourning family, and we hope that the Father of All will afford them consolation and solace.

Resolved—That this tribute to our lamented colleague be made a special entry on our minutes, and that an engrossed copy hereof be sent to the family of our late Brother.

Attest
J. KOPERLIK,
Endowment Fund Secretary.
[SEAL.]

ISIDOR BUSH,
JOSEPH ABRAHAM,
PHILIP SCHLOSS
LOUIS S. LEVI.

Cincinnati, January 30, 1886.

Digitized by Google

HEBREW TECHNICAL INSTITUTE.

NEW YORK.

The Hebrew Technical Institute was founded in 1884 with the object of directing the attention of Jewish youths to the great opportunities that are afforded in the field of the industries. It is a manual training school. Instruction is given in Mathematics, Physics, the ordinary English branches, Free-Hand Drawing, Mechanical Drawing, Modelling in Clay, the use of the Wood Working Tools, Wood Turning, Wood Carving, Pattern Making, Moulding and Metal Working. The full course requires three years for completion. During the first two years the principles of many trades are carefully impressed upon the pupils, and in the third year special trades, selected with reference to the aptitudes and preferences of the pupils, will be taught, so that, upon leaving the school, they may be able at once to engage at work in some special branch.

The Hebrew Technical Institute has met with the universal approval of all educators and philanthropists who have considered its objects and examined its workings. Tangible endorsement has been given it by the Industrial Education Association, by an award of 14 medals (among them the first prize in carpentry) in competitive exhibition with many technical schools of this country.

The cost (about $25,000) has been defrayed by a few liberal gentlemen, and three Jewish benevolent institutions, who, now that success is assured, cannot longer be expected to bear the whole burden of this special work.

It has therefore become necessary to provide a permanent revenue for the maintenance and growth of the school. To do this, a membership society has been created. Over 350 members and patrons have already joined it. To establish the Institute on a firm basis, a membership of at least 1,000 is needed.

The Board of Directors take this occasion to appeal to the sympathy and generosity of our Jewish public, who have never failed to respond when the founding of a worthy charitable institution has been proposed, and they earnestly invite them to become members and patrons of the Hebrew Technical Institute.

The annual dues are: A patron, $25.00; A member, $10.00.

The Institute is now established in its own edifice, Nos. 34 and 36 Stuyvesant Street, where all interested are invited to call and examine the nature of its practical work and the progress of its pupils.

JAMES H. HOFFMAN, *Pres.* DAVID L. EINSTEIN, *1st Vice Pres.*
OTTO A. MOSES, *2nd Vice Pres.* LEO. SCHLESINGER, *Treas.*
HENRY M. LEIPZIGER, *Secretary.*

TRUSTEES.

HENRY S. ALLEN,
MORRIS W. BENJAMIN,
JOS. B. BLOOMINGDALE,
JULIUS BIEN,
SIMON BORG,
ARNOLD W. BRUNNER,
DAVID L. EINSTEIN,
MICHAEL GERNSHEIM,
LEOPOLD GERSHEL,
G. A. GOLDSMITH,
J. GOLDSMITH.
HENRY HERRMAN,
JAMES H. HOFFMAN,
MYER S. ISAACS,
JACOB KORN,
EDWARD LAUTERBACH,
OTTO A. MOSES,
JULIAN NATHAN,
BENJ. F. PEIXOTTO,
HENRY RICE,
BENJAMIN RUSSAK,
LEO SCHLESINGER,
JESSE SELIGMAN,
M. THALMESSINGER,
MORRIS TUSKA,
ABRAHAM WOLFF,
SOLOMON WOOLF.

Digitized by Google

THE MENORAH

VOL. II. *JUNE, 1887.* No. 6.

LITERARY MISCELLANIES.*

4.—CHRONOLOGICAL DATES IN HEBREW LITERATURE.

THE student of Jewish history and of Hebrew literature meets often very peculiar difficulties when he wishes to find or to give exact dates for certain events. We do not speak of puzzling difficulties caused by dates given in the works of some ancient writers which upon first sight must be declared totally lacking in critical value. Chronological statements of this kind the scholar will assign forthwith to the realm of legends and fictitious history and he will reject them as perfectly unreliable. What true historian would ever think of repeating the Midrashic statement that Ruben was born on the 14th day of Kislev, 2193, *anno mundi?* and Simon on the 28th Tebeth, 2194? and Levi on the 16th Nisan, 2195? Or that Moses was born on a Wednesday, the 7th Adar—or, according to others, on the 1st Adar—or, as others assert, on the 27th Nisan, 2368? Who would earnestly maintain that the miracle of the sun's standing still in Gibeon happened on a Friday in the year 2488, *a. m.*? No; of such legendary statements we do not speak here. The historian—I mean the critical and scholarly historian—will simply ignore them.

But in the Hebrew literature of the Jews other chronological dates are given which are deservingly trustworthy and must be considered as such; and yet they are puzzling. For these statements are made according to the Jewish calendar. In order now to convey a clear idea to the readers of the present age, it is necessary to find the corresponding "Christian" dates, that is the dates according to the

* See MENORAH, Vol. II, p. 262, *seq.*

Digitized by Google

calendar which at present is in general use in Europe and in America. If this is not done, the great majority not only of Christian, but also of Jewish students now-a-days will, we are afraid, not be able to claim that their knowledge of history and their understanding of the primary Hebrew sources is very exact and thorough. To how many, f. i., will it be sufficiently clear when Moses Maimonides departed from this world when they read that he died on the 20th Tebeth, in the year 1516, of the "*Minyan Shtaroth*" (the Seleucidian era)? or on what day that massacre of Jews in Weissenburg occurred of which a certain Payyetan of the thirteenth century in one of his elegies says that it happened on the 13th Tammuz, 5030, after creation?

The labor of calculating the Christian dates which correspond to given Jewish dates, and *vice versa*, is, if no auxiliary tables or other similar helps are at hand, usually a long and tedious one. Let us be thankful therefore to the learned *Isidore Loeb*, of Paris, who about a year ago published his excellent "*Tables du Calendrier Juif.*"*

5.—Loeb's "Tables," &c.

At the end of the preceding paragraph we applied to Loeb's *Tables du Calendrier Juif* the adjective "excellent." They are indeed a great help to the student in his historical researches. A close examination of them will soon carry conviction that the author was very careful and painstaking in computing them, and that moreover they are very ingeniously arranged. Some computations, independently made by the present writer, were in full harmony with Mr. Loeb's.

The introductory notes explain how to use the *Tables*. These notes are given in three languages, viz: in French, in German, and in Hebrew. The French explanations are somewhat more complete and more clear than the German or Hebrew ones.

*The complete title is: "Tables du Calendrier Juif depuis l'ère Chrétienne jusqu'au XXXe siècle, avec la concordance des dates Juives et des dates Chrètiennes. Par Isidore Loeb." Paris, 1886, A. Durlacher. (Price: 10 francs).

Digitized by Google

But not only for their main purpose (the finding of the corresponding dates in the Jewish and the Christian calendar) are these Tables of great service—they are also instructive in other regards, in matters of which the introduction does not give the least indication. So, for instance, we can soon find by the help of these tables, especially by comparing the various "*Molads*" in the same horizontal lines in Table XIII., that the old and wide-spread supposition of the correctness of the so-called *Iggul de-Rab Na'hshon* is untenable. This *Iggul* consists of thirteen "Little Cycles" or of 247 years, and such an *Iggul* is *not* always perfectly corresponding to each preceding or following *Iggul*. Yet it has been accepted as correct by many eminent teachers and savants of former ages and even in modern times, and tables of calendars have been founded upon it; so, among others, by Jacob ben Asher, of Toledo, *Tur* I. §. 428; Joshua Falk, *ad loco*, and others. But, as we said, Rab Na'hshon's *Iggul* cannot be considered as thoroughly reliable. Take, for instance, the present "Little Cycle," bearing the number 298 and comprising the years a. m. 5644–5662 *incl.* (a. Chr. 1884–1902 *incl.*), and examine whether it is indeed fully congruent with the "Little Cycle" 285, comprising the years a. m. 5397–5415 *incl.* (a. Chr. 1637–1655 *incl.*). Does the former Cycle fully cover the second Cycle? One who swears *in verba magistri Jacob ben Asher* will say, yes. For the years in these two Cycles are just 247 years distant from each other. However, by making the proper calculations we will find that, while the first eighteen years in the Little Cycles named have the same determinants (קביעות), the last years, viz: 5415 a. m. (1655 a. Chr.) and 5662 a. m. (1902 a. C.) are differing in their determinants. The determinants of 5415 were 7 A (that means, the year which commenced on a Saturday was "abundant," had 385 days); and the determinants of 5662 will be 7 D (that is, the year will commence also on a Saturday, but it will be "defective," will only have 383 days).

Returning now to the *Tables* before us, we must say that paper and typography are of the first quality. A few errors remained uncorrected; they may have been overlooked by

Digitized by Google

the proof-reader. For instance: on page 4 *a*, line 9 from below, and on the same page *b*, line 10 from above, read 793 instead of 876 (the small fractions of an hour in the length of a lunar month are intended to be given and not those in the duration of a common lunar year); on page 16 *b*, lines 12 and 13 from above, instead of a small *a* a capital *A* should stand "abundant" years in *leap* years are meant in that formula, and not in *common* years); on page 17 *a*, line 26 from above, in enumerating the leap-years in a Little Cycle the number 8 is omitted. These are the most important errors which I have noticed.

In the preceding number of these miscellanies a few old Jewish dates were given, and the question was asked whether to every one of the readers they would convey an exact knowledge of the corresponding common dates. With the help of Loeb's *Tables* it is easy to find that Maimonides died on December 13, 1204, and that the Weissenburg massacre, of which Yoëtz ben Malkiël sings in one of his *Kinoth*, happened on June 23d, 1270.

6.—When Commences Jewish Chronology to Become Exact?

In his introductory notes to the *Tables* just spoken of, Mr. Loeb sets forth one point on which we must take issue with the learned author. On page 6 *a*, he states that the Jewish calendar, as fixed and instituted by Rab Hillel, about 359 a. Chr., was not forthwith adopted by all Israel, and that we must presume the same not to have come into general use until after the 5th century, and then he continues:

It would therefore have been perfectly chimerical for our purpose to try to identify, by the help of the Jewish calendar as it now is, Christian dates with Jewish dates anterior to the 6th century, and we doubt very much whether such identifications are admissible even for Jewish dates from the 7th and the 8th century of the Christian era. As, *besides this, we do not find, either on monuments or in books, dates from these two centuries which give the months*, we have commenced our most important table for identification (the table numbered XII.) with the year 801 a. Chr. Not often even will we have occasion to apply this table for calculations concerning dates from the 9th and 10th century.

Digitized by Google

Thus far Mr. Loeb. But does he not make here a statement by far too sweeping? What? Not one exact and minute chronological date can be found for events which happened prior to the year 800 a. Chr. Not a large number of such, it is true enough, have been preserved, yet *some* have come down to us. There is f. i., the "*Letter of Sherira Gaon*," a perfectly trustworthy document which gives us several exact dates from the 5th and 6th century. Let us copy some:

Rab Tabyomē, also called Mar bar Rab Ashē, died in the year 779, on the night after Yom-Kippur; Rabbina bar Rab Huna died on Wednesday, the 13th Kislev, in the year 811; Rab A'hai bar Rab Huna, died on Sunday the 4th Adar, 817; in the year 822, on Yom-Kippur, there was a great storm, and Rab A'hai bar Rabbah died on that day, etc. (The years 779, 811, 817 and 822 in these dates are according to the Seleucidian era, and correspond with the years 467, 499, 505 and 510 Chr. era.

7.—Is Sherira Gaon Trustworthy?

There is no sufficient reason why the veracity of Sherira's historical statements, some of which we have just quoted, should be doubted. On the contrary, there are very good grounds for relying upon them. In a few minor points the critical historian may come upon some inaccuracies, but in the main the Gaon's famous "Letter" is to be trusted. And why? Because Sherira lived in Persia, in the very same country in which the men lived and the events happened, of whom and of which he speaks, and because he lived also not very long after the times of which he speaks. He must therefore have had good evidences for his statements, traditional ones and written ones, and very excellent sources to draw from; aye, he says even explicitly that he had seen and used Chronicles of the Sabburaeans, and the Sabburaeans lived partly in, partly close to the times when Tabyomē, Rabbina, etc., were living. By contemporary authors, moreover, some of Sherira's statements can be corroborated; see f. i. a quotation from a "Response" of

Digitized by Google

one of the Geonim in Joseph Karo's *Commentary to Tur* I. § 423, end. (The same Response is also quoted in *Shibbolē ha-Leket*, recently published by Solomon Buber, on page 38). It is therefore not to be wondered at if we see our best Jewish scholars of modern times relying upon Sherira. Zunz, f. i., in his *Monatstage* gives the date (December 1, 499), on which Rabbina died. Where did he get his information on that point? He does not state his source, but I do not think that for this date he had any other authority at his command except Sherira. Rappoport likewise in his *Erekh Millin*, pp. 37-41, discusses Sherira, and considers him a reliable authority. So does Graetz (*Geschichte*, Vol. IV.), J. H. Weiss (*Dor Dor we-Dorshav* III. p. 212 seq.), M. Steinschneider (*Hebr. Bibliographie*, IV. p. 13) and others.

DR. B. FELSENTHAL.

THE SINGERS OF THE SOUL*

The storehouse of the mind is full ot thought,
That never to the halting tongue is taught;
And floods of song float outward on the tide,
Then backward through their channels softly glide;
While through the aisles, with measured steps and slow,
The singers of the soul pass to and fro;
Or down some sunny slope, with twinkling feet,
Are dancing to a measure soft and sweet.
One sings a song 'twould thrill us with delight,
Could we but catch the metre in its flight;
One rouses all ambition's slumbering fires,
And fills us with a thousand mad desires;
Another soothes us with a tender strain,
And bids the troubled heart be calm again.

*Phrenological Journal.

Digitized by Google

And can we call each singer at our will,
As we would bid the ocean's waves be still?
If it should please them, they may dance and sing,
Or they may pass us by on silent wing.
Oh, who can tell whence come those mystic sprites,
Bearing their store of sorrows and delights,
Whose mellow voices wake the silent soul,
And through its gloom their stirring anthems roll?
Canst though not capture them and bid them say
Whence they have come, and whither do they stray?
Bind fast their fluttering, gauzy wings, and then
Ask them to teach their sonnets to thy pen!
In vain; we've tried them, and have listened long
For one wild note of rapture, one sweet song.

Mute were the voices we had thought so sweet,
And stayed by sadness were those twinkling feet.
Could captive Judah sing her Zion songs
While brooding by the river o'er her wrongs?
Alas! her silent harps the willows graced
While by the stream her sorrowing children paced.
Their tears were mingled with Euphrates' tide,
While on their trembling lips the sweet notes died.
In vain their captors plead for one wild strain,
For one sweet song of Zion plead in vain.
The notes of freedom came not at command;
Her harps were silent 'neath oppression's hand.
Sing on, ye voices of the soul, your songs!
We pause to listen and forget our wrongs;
And though we may not grasp the 'wildering strain,
Nor catch the measure of the sweet refrain,
Still all our lives are sweetened by those lays,
Our hearts uplifted in a hymn of praise.

ALMEDA COSTELLO.

Digitized by Google

HISTORY OF
THE INDEPENDENT ORDER B'NĒ B'RĪTH *

CHAPTER XIII.

THE NEW CONSTITUTION.

THE preamble or preface of Dr. Merzbacher is followed by the Constitution in three Divisions, each preceded by a summary, explaining tersely its motives and objects.

Division I, "of the Constitution Grand Lodge," opens with the following introduction:

"The I. O. B. B. was founded to bring about a union of all the Israelites of America, so as to enable them to carry out matters of common and general interest. It extends to its members aid and support in the manifold changes of life where assistance is necessary, and exerts thus a beneficial influence. It makes it incumbent on its members to assist one another in adversity with counsel, encouragement, and all other possible means. But above all, it is destined to advance the pure, sublime doctrines of Judaism amongst its own confessors, and to give effect to every enterprise tending to accomplish our objects, one of which is a dignified representation of the Israelites of America in a religious and social point of view, and the elevation of the masses in a moral and intellectual direction.

It consists in its complete organization of the Constitution Grand Lodge, of District Grand Lodges, Subordinate Lodges and Degree Lodges.

The new Constitution confirms fully all the powers formerly vested in the Constitution Grand Lodge, which consists as heretofore of the Grand S'kenim, composed of the founders of the Order and the Past Grand Nasi Abhs of Grand Lodges and the representatives of District Grand Lodges, who are entitled to one representative for every subordinate lodge under their jurisdiction. The change thus effected deprives the lodges of direct selection; they will be now represented only in the District Grand Lodges, with which alone the Constitution Grand Lodge is in communication. Charters for subordinate lodges are issued by Grand Lodges instead of, as heretofore, by the Constitution Grand Lodge, but have to be countersigned by the latter. The officers are to be chosen

*Copyrighted.

Digitized by Google

as before from the Grand S'kenim, and the General Committee is to consist of the officers of the Constitution Grand Lodge. The Constitution Grand Lodge holds annually a general meeting, in the last week of August or the first week in September, and the Council of S'kenim at least two sessions during the year, one month previous to the general meeting and one month thereafter, and immediately after the adjournment of the general meeting, when the Grand Maskir was to prepare a copy of the annual message of the Council of S'kenim, and a report of all the business transacted by the general meeting, and transmit the same to the Grand Lodges. The Constitution Grand Lodge is to receive one half of all revenues paid to the Grand Lodges by the subordinate lodges, which was not to be under seven per cent., nor above ten per cent. of all moneys collected by the subordinate lodges, with the exception of moneys belonging to the widow and orphan funds.

Division II. relating to District Grand Lodges is introduced as follows :

"District Grand Lodges are established in order to obtain a faithful administration in all branches of the Order, to give effect to the laws, decrees and orders of the Constitution Grand Lodge. so necessary to realize the sublime objects of the Order,and to insure to all subordinate lodges a government suitable to their peculiar circumstances and wants."

District Grand Lodges were to be established on application to the Constitution Grand Lodge for a charter by ten ex-Presidents of at least two subordinate lodges within one and the same State, or of the like number of ex-Presidents of two or more subordinate lodges of different States, provided that such lodges were not distant more than 300 miles from each other, and all the lodges within the District, where the District Grand Lodge was to be formed, had consented thereto. The Grand Saar, or a Deputy delegated by him, had to deliver the charter and install the District Grand Lodge, in case the Constitution Grand Lodge had granted such charter. Grand Lodges were given the authority to grant charters to subordinate lodges, to install

Digitized by Google

the officers and grant such dispensations as circumstances would require; also to confer the degrees on the members of her lodges or empower Degree Lodges to do so; they were to decide all cases of appeal between lodges and their members subject to review by the Constitution Grand Lodge; to have power to suspend subordinate lodges, but all documents having reference to such suspension were to be submitted to the Constitution Grand Lodge for its concurrence. They could frame by-laws in conformity with the spirit of the Constitution, had to examine the reports of the subordinate lodges, and render to them annually a condensed report of their own transactions. They had to communicate to the subordinate lodges all resolutions and laws adopted by the Constitution Grand Lodge, and send to the latter a quarterly report respecting their proceedings, and a statement of their financial, statistical and moral condition, as well as of their subordinate lodges.

All the ex-Presidents of the subordinate lodges of a District formed the Grand Lodge.

The further provisions do not materially differ from those contained in the previous Constitution; amongst the changes to be noted are, that the Grand Nasi Abh was not permitted to be the representative of any lodge; that the duties of the former Inspecting Committee were to devolve upon the "Surveillance Committee"; that the charge to be paid for a charter and the necessary books was to be $15; and the addition of an Article, providing for a forfeiture of the charter whenever a District Grand Lodge should act against the laws, the spirit and tendency of the Order, indulge in partialities and neglect the government of the subordinate lodges, or refuse to send in her reports and dues to the Constitution Grand Lodge. When a charter of a District Grand Lodge was declared forfeited, her charter, books, papers, furniture and moneys were to be delivered up the person deputed for this purpose by the Constitution Grand Lodge, and the lodges of the District be placed under the jurisdiction of another Grand Lodge.

Digitized by Google

Division III. relates to subordinate lodges, and is preceded by the following introduction:

"In order to insure to every branch of the Order a uniform administration and an equal enjoyment of all rights, honors and privileges; and in order to lead the brotherhood to the practice of charity, harmony and brotherly love, regarding them as the main pillars of human felicity and the essence of all higher and nobler aspirations, the following articles are laid down for all subordinate lodges of the I. O. B. B."

No change is made regarding the application for charters and the institution of new lodges. If a lodge was not able to maintain her existence she could dissolve in a prescribed legal manner, under the direction of the District Grand Lodge, but no lodge was to be permitted to dissolve as long as ten members were willing to continue the same. Applications for membership were to be made in writing by a member of the lodge, and a committee of three was to be appointed to visit the candidate, make strict inquiry respecting the character, health and other circumstances of the same, and report the results thereof to the lodge at its next meeting. The candidate was then to be balloted for, three black balls rejecting. A reconsideration of the ballot was to be had only when weighty reasons demanded it, and to be presented at the following meeting. A second ballot was to be final, and a rejected candidate, whose name was to be communicated to all lodges of the district, was not to be proposed anew before the expiration of six months.

A brother desirous of joining another lodge was to obtain a card of withdrawal, which must be presented with his application to the lodge he wished to join. A committee of three was to make inquiry the same as in the case of any other candidate, nine balls, however, being requisite to reject him.

To the officers of the lodge, provided for in the previous Constitution, were added a right hand and left hand supporter of the President and Vice-President, and a Monitor. Every president was to serve one term as Monitor. No one was to be appointed or elected to any office who was not in full possession of all degrees, and no brother was eligible as

Digitized by Google

president who had not previously served as vice-president, and no brother was to be eligible as vice-president who had not previously served in three subordinate offices—the office of secretary, when filled without remuneration, counting for two terms; the term of office was to be for three months. Nominations for officers were to be made in the two meetings preceding the election, and should an officer fail to appear on three successive meetings his office was to be declared vacant. A quarterly report was to be rendered to the Grand Lodge, stating the names of the brothers initiated during the quarter, those who were admitted by cards or withdrew, or were rejected, suspended or expelled, and of those who were re-admitted; the number of degrees conferred and the amount of revenue collected. In the same manner was an annual report to be made, to which was to be added the names of all members, according to their degrees; the number of brothers who had died and the money expended for funerals; also, a financial statement and a description of the moral and intellectual progress of the lodge.

The revenues of the lodge were to consist of initiation fees, regular contributions, burial taxes and degree moneys; initiation fees to be not less than $5, and not less than $3.25 was to be contributed annually by each member to the lodge fund. A burial tax was to be fixed by each lodge to defray the expenses of the funeral of a deceased member or that of the deceased wife of a brother, and not less than 75 cents was to be paid by every member into the benefit funds for every degree conferred upon him.

The funds of the lodge were to be divided into a lodge fund and a widow and orphan fund. The lodge fund was to be applied: 1, to pay for the expenses incident upon the administration; 2, to the support of sick and distressed brothers and 3, to all useful and benevolent purposes which each lodge was willing to engage in and to accomplish. Every lodge was to meet regularly once a week.

Any member acting contrary to the Constitution of the Order, By-laws and regulations of the Grand Lodge or the lodge, violating the usages of the Order, or using improper

Digitized by Google

and insulting language to the officers of the lodge, or towards any member of the Order, or being convicted of unbrotherly and immoral conduct, was subject to reprimand, fine, suspension or expulsion according to the laws of the Order and the decision of the lodge. Every brother was to be entitled to a proper trial. In case a charge was preferred, a detailed account was to be submitted in writing to the lodge; such charge was to be entertained without debate, entered on the minutes, and a copy thereof handed to the accused. An investigating committee, consisting of five members of equal degrees with the brother, was then to be appointed by the President, to examine into the merits of the charges. Plaintiff and defendant, the latter with his counsel, whom he had the privilege of selecting from the members of his own lodge or of a sister lodge, were to appear before the committee, at a time and place to be appointed by it, and of which written notice was to be given to both the contending parties. The committee was then to submit to the lodge a report of the proceedings had and of the conclusion arrived at, and plaintiff and defendant were to have the right to address the lodge, after which the lodge was to render a decision by secret ballot. The defendant could appeal to the District Grand Lodge. The name of the suspended or expelled member was to be reported to the District Grand Lodge, without whose consent he could not be reinstated. In order to strengthen brotherly love, every lodge had to elect a committee of reference, whose duty it was to effect, if possible, a reconciliation, a peaceable adjustment of all controversies between brethren, who were enjoined not to resort to a public tribunal before submitting their complaints to this committee.

Every lodge had the right to make such by-laws, or alter, suspend and annul them, as necessity should require, in order to carry out the provisions of the Constitution and to regulate her own internal affairs, provided always that they did not conflict with any part of the Constitution and the usages of the Order, and were not in opposition to the laws and regulations of the District Grand Lodge.

Digitized by Google

Provision was made further for the institution of Degree Lodges, who were to confer the degrees either upon the members of one lodge only, or upon the members of several lodges. Degree Lodges were to consist of members who had their full degrees, and such Degree Lodges as were to confer degrees upon several subordinate lodges were to have their own name and seal ; these lodges had to keep regular minutes of their proceedings, elect as their officers a Nasi Abh, Aluf, Maskir, Baal Haginseh, Cohen, Schomer and Soger; they were entitled to a certain fee for every degree conferred, and were to stand under the immediate direction of the District Grand Lodge.

THE POET

The Poet is the Prophet : nothing less.
'Tis he who, lark-like, biddeth Toil aspire ;
Or through our wilderness, a pillared fire,
Goeth before us. Though he seem a cloud,
In this broad glare of little-knowingness,
Ere night our Best shall follow and admire,
The Pole-star of Man's Life is in the Lyre.
Stoop not, O Poet ! from thy causeway proud.

Digitized by Google

CHAPTER XIII.

OFFICIAL RECEPTION BY THE PRINCE. A HAPPY DAY FOR THE HEBREWS OF ROUMANIA.

A FEW weeks after my private interview with the Prince, recorded in the last chapter, my Government having, like those of Great Britain, Germany and other of the great powers, acceded to the wish of His Royal Highness for a special letter accrediting me to his Government, I received from Secretary Fish the required document, and having informed the Minister of Foreign Affairs, a day was fixed for my official reception. By a curious coincidence this happened to fall on the first day of Passover, the day celebrated throughout the world by the Hebrews as the day of their emancipation from Egyptian bondage. In the morning of that day, the 6th of April, 1871, I attended divine service at the Temple. Returning to my hotel at noon, and having made my toilet, I awaited with my Secretary, Dr. Adolph Stern, the coming of the escort which was to conduct me to the palace.

At one o'clock this escort, consisting of a company of Hussars in brilliant uniform, preceded by two carriages containing the Adjutant of the Prince and an aide-de-camp, rattled in the court-yard of the hotel Ottoteliciano, and the Princier officers having made known their mission, I accompanied them to the carriages, occupying the first with the Prince's special aid, Major Schina, while my secretary entered the other. These were elegant open barouches drawn by spirited horses. The cortege then proceeded up the Calea Mogosi, the principal avenue of the city, accompanied by the military escort. Along the route the streets were lined with dense crowds of people, a very large majority of whom, I need not say, were Israelites. This was easily to be recognized from the look of triumph and delight

Digitized by Google

in their eyes, and while no demonstration was made, it was readily to be perceived that they regarded this event, the official reception of one of their own race by the Government which had so cruelly persecuted them, and whose prejudices and animosities were still only too sensible, ever to be remembered. They were in full holiday attire—men, women and children, the aged and the young, representing all classes—and for this day at least seeming to enjoy perfect immunity from all persecution.

Mingled with these throngs were the Roumanians of all degrees and conditions, who regarded the spectacle with wonder and astonishment.

Arriving at the palace, I was met in the Grand Hall by the Mareschal of the Court, Mr. George Phillipesco, and conducted to the throne-room where his Royal Highness the Prince, attended by the Minister of Foreign Affairs, M. Costaforo, and surrounded by a brilliant staff, awaited me.

The ceremony of official introduction having taken place, I proceeded to address His Royal Highness in the following terms:

"Monseigneur: In presenting my credentials as representative from the Government of the United States, I am happy to be able to express, in the name of the President, his best wishes for your Highness and for the prosperity of the country over which you have been called to govern. Since the foundation of the Government, the United States have always pursued the object of entertaining friendly relations with all nations. Making no distinction whatever between their own citizens on account of religion and nationality, they naturally believe in a civilization which will disseminate over the entire globe the same liberal and enlightened views. The hand of the Creator seems to have especially favored this beautiful land, and if the principles of justice and humanity by which your Highness is animated in behalf of all its inhabitants are carried into practice, the most sanguine hopes for its future will no doubt be realized.

"I shall esteem myself happy if, in the exercise of my official functions toward the government of your Royal Highness, I can contribute in some measure to the prosperity and happiness of our respective countries."

Digitized by Google

His Highness said in response :

"Sir : I have sincerely wished for some time past to see the United States represented in this country. I am happy therefore to receive from your Government your credentials as Diplomatic Agent and Consul-General to Roumania. I am desirous that the most extended relations possible may be established between the two countries.

"The greatest advantage cannot fail to result therefrom for Roumania. I have always greatly admired your country, and I am convinced that it is owing to the liberal and hospitable spirit by which it is animated that it has attained such a high degree of development and prosperity.

"I hope we shall have the pleasure of seeing you many years in our midst. My Government will not fail to render the accomplishment of your mission as easy and agreeable as lies in their power."

These official formalities having been gone through with, some little time was spent in agreeable conversation with the Prince and his ministers, whereupon I withdrew and was conducted by the same brilliant escort back again to my hotel, the street still being crowded. The balance of the day was passed in my room receiving the visits of ministers and colleagues, the heads of congregations, and a number of eminent personages who came to congratulate me as the representative of the great and free country of Washington.

In the courtyard below and in the street in front of my hotel crowds of co-religionists mingled to a late hour in the evening, while some of the enthusiastic young men prepared a serenade. During the day, from the windows of my hotel, floated the American flag, whose starry pavilion was greeted with delight by many groups of passers-by.

Digitized by Google

HISTORY OF JEWISH LITERATURE*

By Dr. Gustave Karpeles.

Translated from the German by Richard J. H. Gottheil, Ph.D., Columbia College, New York.

GENERAL INTRODUCTION.

THE history of Jewish literature comprises the whole literary activity of the Jews from the most ancient period of their history until the present. It recognizes no distinction as to the form and the language, nor, at least in the Middle Ages, as to the subject-matter of this literature. In this lies its peculiarity, and presumably also its title to a place by the side of other literatures. It extends over a period of more than three thousand years, and has passed through and assimilated itself well-nigh with every great intellectual development of mankind. In this way it has become an important complement to the great world-literature. Of the ancient nations of Semitic descent the Jewish is the only one which has preserved its literature; the rest have been able to save merely fragments and ruins. The classical age of this literature falls naturally at a time when the Jewish people formed a distinct nationality; when it brought to light that grand biblical literature which has become the great educator of mankind. This biblical literature is, however, merely the foundation upon which the later Jewish literature has been built. It is therefore an anachronism to speak continually of a *Jewish* literature. Strictly speaking, the first period should be called *Hebraic*. It is only after the Babylonian exile that we have the right to talk of a *Jewish* literature. But this anachronism is easily explained, and will be readily excused. That the biblical literature is a part of the Jewish, has, to the detriment of the latter, been too long overlooked.

On the whole, a strange fatality seems to hang over this Jewish literature. It shares with the Jews the sufferings they have undergone since the destruction of their national autonomy. It has had to suffer as well from a special form of

* Copyrighted. All rights reserved.

Digitized by Google

prejudice which has proved very detrimental to it. For centuries it has been called the *Rabbinical* literature. This name originated with Christian theologians, who saw in Jewish authors merely the opponents of the victorious religion, the representatives of an hostile faith; in short, merely rabbis, though that title being only an honorary one has no necessary bearing upon literary merit. Another prejudice has sprung from the same source—viz., that the Jewish literature is exclusively a theological one. This is equally unfounded, as will be shown in the sequence of this history. Not one single tendency, but "the all (*das all*) mirrors itself in Jewish and non-Jewish works alike, which, therefore, do not brook any separate title drawn from any certain epoch or school."

The name *Neo-Hebraic* literature is likewise false, and originated in the same way, from the preconceived idea that the old Hebrew literature can be separated from the new. The Neo-Hebraic is but a part of the Jewish literature, for which latter the most important languages have served as vehicles. We meet with productions in Hebrew, Aramaean, Greek, Arabic, Spanish, French, German, and in other tongues.

One of the chief difficulties in the systematic presentation of our subject lies just in this use of so many different languages, and this contact with so many literatures. In most cases nationality and language are co-extensive, and in this way a national literature is formed. But the Jewish people have acquired the language of every nation among which they have been dispersed, and have continued their intellectual development in all these different languages. The wisdom of Greece, the religious ideas of Persia, the law of Rome, the philosophy of Arabia, the poetry of Spain, the legends of Germany—all have been assimilated with this Jewish literature, all have been piled up upon its one foundation, the Bible.

If, then, the history of Jewish literature is to be systematic and scientific it must treat of all those intellectual productions of the Jews which bear the imprint of Jewish religion and ethics, of Jewish culture and art, of Jewish thought and

Digitized by Google

feeling. It must not shrink from extending its scope so as to include what may seem strange and out-of-the-way provinces of knowledge, so long as these have been of moment in the development of this literature.

Another difficulty presents itself in the treatment of our subject. Jewish literature has created phases so peculiarly its own as to make it impossible for our usual scientific language to find the proper terminology. An exact definition of the names given to these phases, and of what they represent, is well-nigh impossible. All that we can do is to try to give, by analogy, some general idea of the meaning they should convey.

A third difficulty—though this is merely accidental—lies in the fact that this literature has lain so long a time neglected and misjudged. Only during the last fifty years has it been given to the world at large, and been subjected to literary and critical treatment. Although extraordinary activity has been shown, many parts in the history of Jewish literature are still enveloped in darkness awaiting a still more careful study.

In general it may be said, that to the prejudiced mind this exceptional literature must forever remain a sealed book. Its individuality can only disclose itself to the humane and generous mind, to which nothing human is foreign, and which shows a keen sense and a lively interest for any and every intellectual growth, and which recognizes the unity of all mental labor striving after a high purpose. It is only this humane spirit which will see that this literature is intimately connected with the whole culture of the ancients, with the origin and development of Christianity, and with every important scientific effort of the Middle Ages. It has well been said: It enters into the spiritual currents of the past and the present, sharing their struggles and their sufferings, and thus becoming a complement to general literature, but preserving also an organism which must be understood by the application of general laws, and from which, in its turn, these general laws can be apprehended.

It is no mere phrase when we say of the Jewish people that its history is at the same time its literature. As our

Digitized by Google

narrative proceeds this will become ever more apparent. If the preservation of this people since the loss of its political independence seem to be one of the greatest riddles of history, the fact that, in the teeth of all trials and persecutions, it could produce an important national literature, might appear yet more enigmatical. But in the fact itself of this riddle we may find its solution. It is just this mental activity, this participation in every scientific development; it is just this literary industry which has made the Jewish race tenacious of life, and has given it the power of resistance throughout the dreary night of the Middle Ages. It has been saved by its literature; and the last word of parting which the believing Jew pronounces on the Day of Atonement sounds particularly fervent and pathetic: "Nothing is left to us save this law. As the last rays of the sun of the great day fall upon his prayers he thinks neither of himself nor of his house, neither of his people nor of Zion now lost to view, but only of the Thorah, that one remaining possession of his which has been such a faithful companion throughout his wanderings. This wonderful creation of a Jewish literature, which, by a certain necessity, has grown for 3,000 years out of the national element in Judaism, must ever remain unintelligible in its deeper sense if we do not try to understand it as an emanation from national and religious elements.

If we do this we recognize in it an organic creation, a genetic development, the bearers of which form a peculiar whole, which is insufficiently characterized by the name, "*religious association*," and inaccurately by that of *nationality*. A cursory glance over the road traveled by Jewish literature will show it possessed of a living organism and of a continuous development. Prejudice has been unable to see this, because the development has been of service also to culture in general; and because this organism had, through its indwelling moral significance, a well-founded claim to respect and recognition.

The home of our whole civilization is also the cradle of Jewish literature; the sun of the Orient has brought forth its finest blossoms, and in the fields of mankind's holy land its

Digitized by Google

choicest fruits have ripened. It was resplendent and full of freshness when there was as yet no trace of the literatures which at a later period, and in our own day, overshadow and influence it. In Hellas the spring-time of a rich intellectual harvest has hardly made itself felt. The Homeric hymns have only just commenced to be collected. In its development and maturity it produces creations full of poetical and intellectual moment. Its own decline follows close upon that of the religious and national life. It is again quickened by contact with the Grecian spirit, which now grows to its full extent, but is subdued, and finally destroyed by the genius of Jewish teaching, as represented in Christianity. Victorious Christianity sought, at a later time, to destroy the intellectual existence remaining to Judæa, paganism having already crushed out its political existence. Judæa now commences its great wandering exile with but one book—yes, we can say, with its whole literature.

But to those lands to which the Hellenic spirit had hardly penetrated, Jewish literature developed into a strange but compact form, Jewish law into a structure at which generations worked with bee-like activity, and which was to furnish intellectual food for centuries to come. The typical forms for the whole latter development crystallized in Halâkhâ and Haggâdâ, which in turn may have been developed out of older Biblical types, out of the Law and Prophecy. It has been well said that the one advanced the *particularism*, the other the *universalism* of Judaism and of Jewish literature. Henceforward they walk partly side by side, partly seek their own way and complete each other. "The Halâkhâ interprets and develops the national law just as the priest did, and operates with cold understanding, thus tending towards egoism in nations as well as in individuals. It takes logic and hermeneutics as helpmates, and naturally strengthens the particularistic consciousness. The Haggâdâ touches upon the province of philosophy; it adorns itself with the flowers of poetry, directs attention to the works of nature, defends Israel against the attacks of the nations. It scourges the weakness and the faults of men; it discusses family

Digitized by Google

affairs, explains the changing fortunes of man upon this earth, brings joy to the troubled soul, dams in the stream of natural passions, and kindles a love for all that is beautiful and good. Together with the Prophet and the Poet the Haggâdâ has to do with the heart and the imagination, and is thoroughly universalistic in its tendency."

More than eight centuries are consumed in this gigantic work which discloses itself in the two Talmûdîm and in the Midrâshîm. For the second time the Jews are drawn into a new intellectual current of the world's thought, which gives their literature a mighty impulse. The great revolution, breaking out in the neighborhood of Sinai and writing the victory of El-Islâm upon its flag, brings the Arabs into the march of civilization. The Jews now write their most important philosophic, poetic, and scientific works in Arabic, as they had formerly done in Greek. A brilliant time for science and polite literature is the results of the Arab supremacy in Spain. Under the Ommiyades a luxuriant civilization arose in that country, which is, as yet, far from being estimated at its true value as regards literature and science in general. The bright sunlight of this epoch falls also upon Jewish intellectual work, and ripens there the golden age of Jewish literature. To have seen two classical periods, and in both to have produced something imperishable is a gift of fortune which has been granted to but two nations besides the Jews—the German and the French.

It was different in the Christian Occident. Thither also the scattered hosts of Judæa had wandered. Thither they had carried their book. But there darkness covered the nation as with a pall. For hundreds of years their culture lagged behind that of the Jews, who were thus shut off from all intellectual influence from without. Like a silkworm the literature now envelops itself in the threads of Talmudic reasoning. Only much later, at the intellectual regeneration of the nations could it once more break forth from its chrysalis state and unfurl its wings. At other times it embeds itself deep in that great world-book, reading out of it the sense and meaning of every word and every letter, or reading into it

Digitized by Google

its own woe, its own wishes and hope for the future. There is here no trace of an exchange of thought with the literature of the reigning power. Free thought was trammelled and excommunicated. All things Jewish were held to be the devil's own work. The enthusiastic crusaders called out: "'Tis God's will!" and fashioned the Hebrew Thorâ-rolls into sandals. This has been justly taken to be the characteristic signature of that epoch.

Then day dawned for the third time. The scene shifted. Salvation came from that one place where the Hierarchy had disclosed its most awful power—from Italy. Jewish literature immediately came into contact with that of the world at large. The revival of the sciences did not completely shut out Jewish literature from its sphere; and Jewish literature sought to attach itself to the great stream which was now rushing with tremendous force towards the new era. It gradually covered all the deposits of the dark ages. Jewish poetry witnesses a rich aftermath of a period of *epigoni*, and philosophy, too, sends her doughty champions into the battle array of warring systems of thought.

Jewish works were among the first productions of the European press. This is perhaps, most characteristic for this literature, which, in the midst of the most abject misery, and of the many trials of exile, shows a vigorous and sturdy development. Upon its primitive structure, which remained unchanged in the ever-changing times, all forms and languages, every intellectual departure, poetry and philosophy, law and medicine, are engrafted. But everything must be subordinate to the spirit of the ancestral faith, and must conform to it. It is just by means of this, though in some things its very weakness, that Jewish literature preserves its continuous and consistent organism.

The morning sun of the Reformation awakens also Hebrew studies. Jews become the teachers of church prelates and reformers, of kings and of professors. The attention paid to their holy documents must of necessity influence their own literature, which now accepts new formations, which it works into the old groundwork. The study of the Bible is cast into

Digitized by Google

different moulds. Poetry becomes even dramatic. Philosophy, steeled by many struggles, finds representatives of surprising liberality. Out of the school room, in Amsterdam, emerges the hero of the modern conception of the world, Baruch Spinoza.

But the morning light is soon darkened by lowering clouds. It might have seemed that Israel had already sounded the abyss of suffering; but ever and again deeper ones opened at her feet. Before the clatter of swords, which threatened its very existence, Judæa's muse became silent, or sighed in elegies. In this manner the religious poetry of the synagogue was continued, which, more than a thousand years ago, had commenced its lofty and consecrated career with prophets and sacred bards, and had ended in Piut and Selikhâ.* In this manner a religious poetry was created, which for richness of material, depth and fervor of sentiment, and fullness of form, is the peer of the religious lyrics of any literature.

Side by side with this Talmudic learning it spun itself ever deeper into its own meshes, finding in the word of holy teaching comfort and hope whilst the storm raged around the walls of the Ghetto. The more hostile the outside world the deeper grew the inner world. The learned literature of Talmudic law arrives at its highest maturity just in these sad times; but poetry is silent, and philosophy shyly hides its head. Jewish literature develops in the direction of the Halâkhâ. Particularism gains the supremacy and holds it until this development has run its full course.

In the meanwhile the sun of the new era has broken through the clouds. Its first rays fall upon the martyr track of the wandering people. Book in hand they still wend their way through the world, hunted and baited, pursued and despised, but still teaching and enlightening the nations, and, in turn, being enlightened and taught by them. Whatever great and new has been created, whatever beautiful and lofty, they have incorporated into their own literature, until the new era is at hand, and new creations, new tendencies, new

* Forms of poetry unknown in any other literature, which will be made intelligible when we reach that period.

Digitized by Google

forms and figures are supplied them. The vital force of these germs is not yet spent, and has already shown its fruitfulness in poetry and science.

This is, in bold outlines, the road traversed by Jewish literature. It shows a uniform development. Through this singular spiral movement Jewish literature has become something peculiar in the world's literature. On this account, if on no other, it deserves attention. It has been customary to deny the Semites, and chief among them the Jews, the power of systematizing; and on this account to deny also the presence of a steady development in Jewish literature. Granting for a moment this want of systematizing power, which an eminent scholar would find even in the Bible, it can only be called a partial mistake; as regards freedom and variety of action, however, it was a decided advantage. But the student, at all events, must try to grasp, uninfluenced by prejudice, the faults as well as the merits peculiar to Jewish literature. He must seek to understand these from the peculiar temperament of this race, which has intellectualy absorbed and made its own everything that has come across its path during its wandering over the globe for almost two thousand years. But this in no way hinders such an unprejudiced mind from seeing in this literature itself a great organic creation, developing according to certain laws; like every other literature having its period of bloom and decay: yes, even a two-fold bloom. In this way he will recognize the law of all intellectual activity clearly stamped upon it.

If we have once understood this properly, it will not appear strange that this Cinderella among the literatures should at last wish to possess in the parental house the rights so long withheld; to be recognized as a daughter having equal rights and privileges with the rest. The first step in this recognition was hazarded—and it is well to emphasize the greatness of this venture—by those Christian scholars in the sixteenth century who enclosed Hebrew studies within the pale of science in general. Reuchlin and Sebastian Munter head the list, Luther and Melancthon follow, Buxtorf, Wolff,

Digitized by Google

and Bartolocci bring it to an end. In later times only a few stragglers go in this direction. Rabbinical literature remains an untrodden track; until at the beginning of this century, the Nestor of Jewish literary investigation, Leopold Zunz, with the help of modern science, leads the way.

As Zunz has been the pathfinder in Jewish literature, so has he remained its leader until to-day. He was the first to sketch the outlines of a systematic conception and presentation of Jewish literature. Many others have followed upon him who have shed light upon every single track which the Master had pointed out to them. Little could be done for the general reconstruction, as long as so much remained undone in the many special departments. Not before 1847 could Moritz Steinschneider, advancing in the direction pointed out by Zunz, make the first encyclopedic attempt at a systematic summary of Jewish literature. Many histories and compendia have worked up the rich literary material for younger minds. But it again took twenty-five years before the field was so far cultivated in every direction that David Cassel could commence a "*History of Jewish Literature.*" Of this only two volumes have appeared, treating of the Biblical literature. The present work may, therefore, lay claim to be the *first exhaustive attempt* at a systematic exposition of the history of Jewish literature. Keeping this well in mind, as also the many difficulties mentioned above, the continual change of the form and language, as well as the scene of this literature, the reader will bear with the many faults and imperfections of this first attempt. The more so as this forbearance has as yet been little shown towards Jewish literature. Unknown and disregarded, unprotected and without any encouragement, it had to level its ways alone and to walk them alone. Yet there lies buried in the treasures of this literature, which has not to this day received its merited attention, and of which a large part still awaits its resurrection in the libraries of Italy, England, France and Germany, a considerable wealth and a profound knowledge of the world and of life.

During the last fifty years great activity has been shown

Digitized by Google

in delving into the literature of the past, and more than 27,000 works have thus been brought to the light of day. They afford us a view of the whole Jewish literature which is fascinating, in many respects surprising. Some have wished to classify these works according to nine, others according to seven, still others according to only four different epochs.

Such a classification is attended with great difficulties, as each period must bear its distinctive stamp, and because the changes in literature, like those of the ripening seed, are slow and invisible. It is impossible to take certain dates and certain events as we do in history, and to make them the starting points for a new period. We are compelled once more to glance over the whole picture, and, in this way, to divide off the different periods. It seems that a division into six great periods will depict in the clearest way the intellectual development we are studying with its many currents and undercurrents.

The *first* period may be said to extend to the year 200 B. C. It comprehends the age of the old Hebrew literature and of the national independence. It must be regarded as the introduction merely to the following period, just as the old Hebrew literature is the foundation of the later Jewish. It is, therefore, impossible to give a critical history of this ancient Hebrew literature. A mere characteristic will suffice, which shall disclose its leading ideas and enumerate the works it has produced. The language is almost wholly Hebrew; the scene of action Palestine. The Biblical writings belong almost entirely to this period in which Israel could successfully preserve its own identity. These writings give us, therefore, the truest pictures of the character and spirit of the people. They have become of universal importance, and are the foundation for the entire later development. This is the period of the *Biblical literature.*

The *second* period extends to about 100 A. D. Here the Jewish spirit comes in contact, for the first time, with Hellenic culture, and assimilates this culture with itself. Many productions of this period are written in the Greek, few in the Hebrew language. The scene shifts alternately

Digitized by Google

from Palestine to Egypt. Here we begin to meet with literary personalities, whom we may call, bearing in mind their chief literary productions, *Judæo-Hellenic*, although the burden of the intellectual work of this period does not lie in this direction.

The *third* period, occupying the longest space of time, extends nearly over a thousand years. It develops that wonderful intellectual product which we find crystallized in the two Talmûdîm and in the cognate literature. But not this alone. Other sciences, even poetry, are not neglected. Vowel signs and accents are introduced. The Massorâh is fixed; the Targûm and the largest part of the Midrâshîm are reduced to writing. The language used is the Aramaic; in the last centuries occasionally the Arabic. If we take into consideration how great and how lasting an influence these productions have had upon succeeding generations, we can well give this period, whose scene of action is principally in Babylon and Palestine, the name of *Talmudic literature.*

The *fourth* period comprises the second golden age of Jewish literature. It lasts, more or less, for three hundred years. The Jews take part in every sphere of the intellectual life of the Arabs. They write Arabic, Hebrew and Aramaic. They cultivate literature and poetry, philosophy and grammar, astronomy and medicine, exegesis and theology. Arabic rhythm and prosody stimulate them. The bloom of Neo-Hebraic poetry begins and lasts for more than a century. The scene lies in Northern Africa, Spain and Italy. Side by side with this, Biblical exegesis flourishes in France, where, in conjunction with Germany, the study of law is also cultivated. But this period which lasts until the death of Maimonides, *i. e.*, to the beginning of the sixteenth century, is justly called the *Judæo-Arabic literature of Spain.*

The *fifth* period bears no really distinct character. It comprises almost five centuries, until the appearance of Mendelssohn. The dispersion of the Jews after the new Spanish exile, the invention of printing, the revival of the sciences, all these have been of equal influence. The Kabbâlâh gains even more ground in these sad times. The study of the law

Digitized by Google

spreads and commences slowly to drive poetry and philosophy from the heights to which they have climbed with so much difficulty. The chief productions of this period are written in no one distinct language, unless we give that name to the Talmudic idiom, which is, however, made up of Hebrew and Aramaic. This period may be called that of the *Rabbinical literature.*

Upon this there follows the *sixth* and last period, which has not yet closed. It begins with the end of the eighteenth century. The German Jews take the lead. The language of the chief productions of this period is accordingly German; though, as in previous periods, important works are still written in Hebrew, and in almost all other living languages. It is natural that in the new era, which may be called that of the revival of science, the character, form, and subject-matter of the literature should become materially changed. Poetry flourishes once more. Polite literature and science are still further developed. The name of this period is already sufficiently indicated. It is that of the *Jewish literature of the present era.*

This is the scheme according to which the history of Jewish literature will be presented in the following pages. Bibliographical completeness is, of course, out of the question. A complete enumeration of all scientific works or of the many scholars is outside the province of this book. It intends merely to show that the intellectual life of the Jewish people is part and parcel of the great intellectual life of mankind; that its literature is an essential part of the literature of the world.

The totality of man's literary activity is a sea, Leopold Zunz once said, in a work on this very subject. The Jewish literature is one of the streams which carry water to that sea. In it, too, the noblest ideas which have stirred the human breast, and after which mankind has striven so hard, make themselves felt. It also discloses the manifold deeds of the discerning spirit of man. And if we to-day are the witnesses and children of an ever active energy, the present is but the beginning of a future, a passing from cognition into life.

Digitized by Google

Spiritual ideas, when recognized and truly perceived give freedom to thought and beauty to the feelings. Journeying upon this one stream we can reach the fountain head of all, the parent of everything spiritual, and around which as around an immovable pole all things move, and from which they have their being.

(*To be continued.*)

THE LOST DIAMOND

CHAPTER I.

IT is an humble abode to which we conduct our readers; an old dilapidatd building, fast falling to decay, situated in an obscure and not very reputable part of the city; but humble as it is, the old house had never in its best days held nobler or purer beings than those who tenanted it at the time our story opens.

Mr. Melchoir, he who paces the floor of that scantily furnished room with such rapid steps, was once a man of wealth and influence, but having, through the dishonesty of a partner, failed in business, he had been obliged to become an assistant in a mercantile house, and, as misfortunes rarely come alone, an accident, shortly after he had entered upon his new duties, deprived him of the use of his right hand, and compelled him to resign his situation. Sickness in his family added to his embarrassment, and, after struggling for years, he was fain at last to remove to the uncomfortable dwelling in which we find him, in a neighborhood better known to the police than to respectable citizens.

Friends he had among his co-religionists who came forward with offers of assistance, but Daniel Melchoir was a proud man, proud and sensitive, and shrunk from the idea of eating the bread of charity. By patient perseverance he learned to use his left hand, and earned a trifle from his former employers at copying; but even this miserable pittance gradually decreased, and at length ceased entirely.

Digitized by Google

The room in which the family was assembled was a large, bleak-looking apartment, bearing unmistakable marks of poverty, but scrupulously clean. The uncarpeted floor and the deal table and chairs were spotless, and the linen of the little bed that had been drawn near the stove was white as drifted snow. Mr. Melchoir's gaze frequently rested on that bed and its feeble occupant, and at such times his chest heaved and his lip quivered, for there lay his youngest born, the most beautiful of the bright group that had once gladdened a happy household. She had been a picture of health and beauty until her third year, when, without any apparent cause, she began to droop and decline, and now lay helpless as an infant, but patient and wise beyond her years, and so gentle and loving that Miriam's smile and Miriam's soft, clear voice made the light and music of that miserable dwelling.

Seated near the window at a small table was his wife, who, with her two girls, was busily engaged in labeling boxes. The work was trivial, and the group showed by their rapidly moving fingers how slightly remunerative it was, and how necessary to take advantage of every moment of daylight.

Anna, the elder of the daughters, had been beautiful; but her large brown eyes had now a hollow look, and her once full lips had lost their ripe freshness. She was pale, too, almost as pale as her invalid sister, and she sometimes raised herself for an instant from her task, with a short, quick gasp, as if in pain. But she uttered no complaint, and her fingers moved as rapidly as those of her mother and her sister Esther. The latter was a pretty brunette of fifteen, whose mirthful spirits, in spite of their gloomy surroundings, often found vent in some lively sally that almost raised a smile on the face of the patient, long-tried mother who toiled beside them.

"How soon will you be ready to send them?" Mr. Melchoir asked, pausing before the little group.

"Very soon, my dear," replied his wife. "I think we can finish them before dark."

Digitized by Google

He made no reply, but took two or three impatient turns up and down the room.

"It is time Simeon was here," he observed, petulantly, as he stopped before a window.

"He will, no doubt, soon be here," returned his wife. "It may be that our prayers have been answered, and he has succeeded in getting employment."

"I doubt it," he replied, in the same petulant tone. "More likely he will come back as he has done for the last month, hapless and desponding. Hark! he is coming."

As he spoke, the door opened, and a handsome boy of about fourteen entered, and going up to his father, saluted him respectfully, then bending over his mother's chair, kissed her forehead, and threw himself wearily on a seat. His mother raised her eyes for a moment from her work, and glanced at the desponding young face; it sent a pang to her heart—so young, so beautiful, and yet so sad.

"So you come back as you went," said his father. "No work."

"No, sir," replied the boy. He held up his feet and showed his almost soleless shoes. "I have been walking ever since I left here, and this is all I have to show for it."

The patient, toiling mother could not suppress the tears that came into her eyes, for one of the most poignant pangs that poverty inflicts is that of witnessing the privations and sufferings of those most dear to us. For herself she was content to go half fed and poorly clad, to toil early and late, to sit whole nights beside her sick child, and resume her labors at day dawn; but to see those to whom she had given life, daily battling with the hard, cold world, and growing weaker in the conflict, seemed a trial almost greater than she could bear.

"Where have you been? what places did you try?" demanded his father.

"I went everywhere," responded the lad; "and everywhere I got the same answer: the season was dull, no business doing, and more applicants than they cared to answer. I fancied two or three times that I was about to succeed, but

Digitized by Google

when people found where I lived I was told I would not suit. I believe," he added, bitterly, "they think we are all thieves and pickpockets, because we live here."

"What has the neighborhood to do with it?" said his father.

"I assure you, father, the neighborhood has much to do with it," said Anna. "The last time we took our work home, there was a very lovely lady in the shop who took quite a fancy to Esther, and said she would come and coax mother to let her live with her, as a companion to her daughter; but when she heard where we lived she grew quite cold, and observed to Mrs. Brandon that people living in such a den could not be decent."

An angry flush rose to her father's brow. "Good or bad," he said, "it is the only one we are likely to have in this world. Deborah, are you not ready to send those things? That child is growing weaker; she has had no nourishment since noon; she must have something; a little port wine and biscuit would strengthen her so much."

"I am hurrying, dear Daniel," replied the patient wife, well knowing that the utmost farthing of all they earned would barely suffice to furnish the much-needed nourishment and supply the family wants.

"I see but one chance left me," said Simeon. "Everything else has failed, I have no alternative but the sea."

"Now, God in His mercy forbid," ejaculated his mother, hastily. "Oh! Simeon, my child, never propose that."

"Why not!" asked his father. "The boy is right; that is his only chance."

"Dear husband," said the wife, trembling with excitement, "it would separate our little household, and he would be obliged to desecrate his Sabbaths and holy-days, and eat forbidden food. Oh! no, beloved child, do not think of it; we will toil and live sparingly and have faith, and it may be that our Father will one day visit us with mercy; but let us not forfeit our integrity, let us not forsake our religion."

Before her husband could answer, the door was thrown

Digitized by Google

violently open, and the twins, Levy and Seth, ran into the apartment.

"It is mine; I found it," vociferated the former. "I saw it shining first; it is mine."

"I picked it up; it is mine," said Seth, equally excited. "Look father, is it not a pretty stone? See how I have soiled my clothes in getting it out of the gutter. I say it is mine."

"Silence!" said the father sternly. "What bone of contention have you now? Give it to me this moment."

The boy sullenly relinquished his prize; for past experience taught him to expect no favor from his father, who generally ended their childish disputes in a summary manner. He crouched down by Miriam's bed, fully expecting to see his pretty bauble thrown into the stove, and for a while was insensible to her soothing, caressing tone, as she tried to divert his thoughts. Presently an exclamation of surprise from his father made him spring from the bedside and hurry to the window, at which Mr. Melchoir stood.

"Where did you find this?" demanded the latter.

"Just before our door, sir," replied Seth. "It was lying in the mud, and I—"

"Father, I saw it first," broke in Seth.

"Be quiet, both of you," said the father. "It is likely to give us all more pain than pleasure."

"What is it?" asked Mrs. Melchoir, noticing the troubled look of her husband.

"A diamond," replied he, in a low tone, "and one of the finest water."

"Heaven be praised!" she exclaimed, clasping her hands.

"What do you mean?" he said. "The bauble is not ours. Poor we are, but may God preserve our integrity."

"Nay, no dishonest thought prompted me," she replied. "I was but thinking that the loser would offer a handsome reward for it."

"And then we shall be able to get wine, and perhaps grapes, for our dear Miriam," said Esther.

Digitized by Google

"And shoes for Simeon, and a warmer dress for mother," said Anna.

"And a coat for papa," said the invalid, warming up in the general joy.

At that moment a loud knocking at the door startled them. The children were terrified lest it should be an officer of justice come to demand their prize, and perhaps carry them all to prison. And even Mr. Melchoir turned pale, and thrust the hand containing their new found treasure into the bosom of his vest.

(*To be continued.*)

THE NEW ENDOWMENT LAW IN THE SOUTHERN DISTRICT

CHARACTERISTIC SPEECHES IN ITS BEHALF.

The amended endowment law, as finally adopted by the Memphis Convention for District No. 7, and reported by the Committee, Messrs. Samuel Hirsch, Leo N. Levi, Samuel Ullman, G. A. Levi, and Joseph Hirsh, has the following substantial features:

ARTICLE 13. *Section* 1.—A fund shall be established and maintained under the absolute control of District Grand Lodge No. 7, which shall be known as the endowment fund of District No. 7, I. O. B. B.

Section 2.—The object of said fund shall be to secure, on the death of a member in good standing entitled to participate in the endowment fund, to his beneficiaries an endowment as hereinafter provided. The said endowment shall be exempt from all claims of the creditors of said deceased member, except the lodge of which he was a member at the time of his death.

Section 3.—All members of District No. 7 now in good standing, and all who may be admitted or initiated prior to July 1st, 1887, shall contribute to and participate in the endowment fund, and the beneficiaries of each of said members shall be entitled at the member's death to an endowment of $1,500.

Digitized by Google

Any member under the age of 45 years initiated or admitted subsequent to July 1st, 1887, shall contribute to and participate in said endowment fund, and his beneficiaries at his death shall be entitled to an endowment of $1,000; provided, that any present member of this District who is not a participant in the endowment fund shall be exempt from the provisions of this section until he arrives at the age of 30 years, when, or at any time previous thereto, if in good health, he shall have the option to enter the $1,500 or $1,000 class upon paying the required assessment.

If any such non-participating member shall not be in good health when he applies for participation in the said endowment fund, he shall not be admitted to the same, but may continue his membership in the Order without participation in the endowment.

Section 6.—All participants in the $1,500 endowment shall pay an assessment of $30 dollars per annum, beginning July 1st, 1887.

Section 7.—All participants in the $1,000 endowment shall pay an assessment of $20 per annum.

MASTERLY SPEECHES.

JOSEPH HIRSH, ESQ.

Joseph Hirsh, of Vicksburg, led the debate in favor of the adoption of the committee's report, presenting a number of reasons maintaining the wisdom and policy of the law. He argued that the rates suggested were in line with the thought of the best insurance minds of the country; that the test of age and the discrimination in favor of youth was in conformity with the laws of nature and the accepted policy of all well-regulated insurance companies. He admitted the truth and force of the point advanced that there was an apparent discrimination in favor of young men about to come in and those young men now in the Order. But he insisted that the discrimination was forced upon the Order by the exigencies of the situation; that the young blood was taxed to give vigor and life to the old. It would not be fair nor just nor equitable to expect them to do so. Let the new men, if any offer themselves, come in on a fair and equitable basis, and let us elevate the Order above any mere insurance status and thrust into prominence the nobler features of our fraternity

Digitized by Google

—the support of the Touro Infirmary, the Cleveland Asylum, the Widows' and Orphans' Home of New Orleans, and the dissemination of the principles of benevolence, brotherly love and harmony. The time is coming, predicted the speaker, when these co-operative endowment associations would collapse and become a stench in the nostrils of the people, as was the case with the late matrimonial associations. B'nē B'rīth had taken time by the forelock and placed its system on a safe basis; but it might be as well now to begin and disseminate the idea that the life insurance is a mere incident in the Order of B'nē B'rīth, and not the sole purpose of the organization, as seems to be the prevailing opinion.

Brother Hirsh also made the point that as the Order had succeeded in raising even so selfish a motive as life insurance above the plane of sordid speculation, that there was ground for hope that its treatment of higher objects would be equally successful, and that with the insurance problem disposed of and out of the way, the Order might march on to the achievement of those higher purposes for which it was organized. Hence it was politic and wise to induce the influx of new blood by offering them something better than mere insurance. The apparent discrimination against young men now in the Order is due to the fact that the latter are pledged to make the old Endowment safe. Prospective or future members are not saddled with this obligation, and it was to enable them to come in on a favorable basis that the $1,000 Endowment was created. The conditions are entirely changed. The old order of things has been provided for. Those who come in hereafter will not be required, as young men now in the Order, to pay for the errors of the past. It would not be fair nor just or equitable to expect them to do so. Let them come in under such terms as are warranted by the conditions presented and the situation that confronts them. This being conceded as fair, it follows that the report of the committee, based as it is upon that theory, should prevail.

Digitized by Google

VAN RONKEL OF DALLAS.

Bro. Van Ronkel of Dallas, a member of the Grand Lodge, but not a representative, made a fiery speech in opposition. "The blood of the martyrs" seemed to flash before his vision, and in tones of vivid thunder and lightning he portrayed the sufferings of the poor bleeding brother crushed beneath the juggernaut car of merciless taxation.

SAMUEL HIRSCH OF MEMPHIS

took the floor in behalf of the law. "This is not a matter of sentiment," he said, "but business." "You can't pay $1,500 with the present assessment nor with that proposed as an amendment, and you are morally bound to carry out your contract with all who are members. It is not honest to do otherwise. It will not do to say, 'after the deluge.' It will not do to say to such as may die within the next two years, but it is necessary and right and proper and just to make provision for all, not only for immediate emergencies, but for all time to come, and close mathematical computation has established the fact that it will take a $30 assessment to do it. If any member will show how it can be done cheaper, the committee will be glad to hear him, but it is folly and clap-trap to come here and meet facts, figures and arguments with sentimental rubbish."

RABBI S. HECHT OF MONTGOMERY

thought there was no immediate occasion for increasing the assessment to $30. He urged that the present rate ($24 for $1,500) was ample to insure the payment of all policies for at least ten years to come, but he declared himself as open to conviction and would vote with the committee on the $30 clause if they could convince him that the interests of the Order and the fulfilment of an honest obligation required it.

LEO. N. LEVI, ESQ.,

Representative of Galveston, Texas, next took the floor in support of the committee's report. He asked the Convention not to close the doors and windows of their minds against

Digitized by Google

the truth. It is expected by our constituents that you will do that which will best subserve their interests. I trust that those who leave here with the determination to let things alone—to change nothing—will come to the conclusion that a change is not only necessary and expedient, but required by the dictates of honor.

Brother Levi reminded the convention that, as far back as 1881, he had advocated a safe provision for endowment, and had warned the convention that every day lost would cost the Order something. The speaker at that time favored $6.25 per quarter. He was voted down then, and the Order is now confronted with the necessity of increasing the assessment to $7.50, a result which might have been avoided by proper action in 1881. We stand on the threshhold of a like difficulty now. While $6.25 would have been sufficient in 1881, the sum now required is $7.50. Therefore, the argument that a change now is not necessary is idle, because if we postpone action a day, or month, or year, every stage of delay will impose an additional burden. You have got to pay as you go, otherwise you will have some day to pay an amount beyond your capacity.

I have heard a good deal about the charitable instincts of the Jewish heart. My sentiment upon that point is this: That when a Jew owes a debt the charitable instinct of the Jewish heart is to pay it. And if by any misfortune a brother is unable to pay his dues, the charitable hearts of his brother members will prompt them not to let him fall by the wayside, but to pay his dues for him by voluntary contribution. The charitable instincts of the Jewish heart may always be relied upon in such contingencies. But if you assume that this will be done in a multitude of cases, and that if 250 members shall fall behind and occasion arise for the payment of $250,000, and you appeal to the Jewish heart to pay it, I say the Jewish heart will reply by referring you to the Jewish head, and the answer will be: "You should have made provision for this in time as business men."

Bro. Levi continued by citing official documents, going to show that the net interest realized by investment of lodge

Digitized by Google

funds was barely 5 per cent., and hence the computation upon the rate of assessment required would have to be based upon a 5 per cent. interest revenue. In support of the advisability of a sufficient assessment, the speaker showed that District No. 2, with an $18 per $1,000 assessment had increased in membership, while all the other districts with cheaper assessments had decreased in membership. In answer to a suggestion that the young men were opposed to increased taxation, the speaker repudiated any such possibility. The young men were in favor of it; the speaker spoke advisedly. It was the old men who opposed the increase, because, while believing the system on its present basis to be rotten, they thought it would last as long as they needed it in any event.

In response to an implied threat from a Montgomery delegate that the lodges of that city would secede from the Order, the speaker said that the less members there were in an insurance association the sounder that association would be. He went on to show by actual statistics gleaned from official reports that the district embraced 25 members ranging from 65 to 80, and 52 who were inflicted with chronic disease, involving imminent danger of being compelled to pay $115,000 within the next four or five years, and what have you got to pay it with? A reserve fund of about $90,000. The speaker continued by piling up argument upon argument, and figures upon figures, until he had raised a structure of sound, solid argument and logic, absolutely impregnable to the assaults of those who opposed the $30 clause.

He spoke for more than an hour, never hesitating for a word, and with facts and figures so clearly marshalled that they carried conviction to all hearers. It was a most masterly effort, and fully sustained the reputation which the speaker leaves of being one of the most accomplished orators of the Southwest. Bro. Levi does not deal in rhetoric or bunkum. He appeals to the reason, and speaks in a conversational tone, never indulging in any ambitious, sky-scraping attempts at oratory. Bro. Levi's remarks made a profound impression, and with the support of Bro. Joseph Hirsh, completely won the convention to the sound and solid action it finally adopted.

Digitized by Google

Open Letters

ECHOES FROM MEMPHIS.

The fourteenth annual convention of District Grand Lodge No. VII. I. O. B. B. met at Memphis on Sunday, May 8th and held sessions for four days or until Wednesday the 11th, when it adjourned *sine die.*

In the high character of its representatives, and the work performed, it compared favorably with any similar body of Israelites ever convened in this country.

Under the benignant skies of the Sunny South our brethren appear not only to have flourished materially, but to have caught the lofty spirit which animates Southrons, and make them gentlemen and citizens of large mind, patriotic feeling, and broad geniality.

Toleration of sentiment and differences of opinion made the most strenuous opponents courteous and forbearing, and in the heat of debate there was no forgetfulness of respect, no deviation from that noble sense of honor which is absolute proof of true chivalry and sincere brotherly love.

In fact the convention was remarkable for its self abnegation. The best minds sought no temporary triumphs by reason of superior intellectual endowments, and their antagonists, stubborn and belligerent, while the fight lasted, yielded gracefully when the battle was over and reason and judgment triumphed over sophistry and vehemence.

Foremost among the leaders we must place Bro. Leo. N. Levi of Galveston, who simply triumphed by the sheer force of logic without any attempt at rhetoric, though capable of loftiest flights in the regions of oratory. For hours he held the convention spellbound by the commanding force of argumentation which cut with crushing weight through all opposition, dividing and scattering the combined hosts of earnest men and demagogues, who had conceived fallacious though honest sentiments concerning life insurance or Endowment benefits.

As in all such combats where sophistry pleads even with all the thrilling eloquence of an Æschines, the Demosthenian blows of such men as Leo. N. Levi and Joseph Hirsh shattered the philistian columns, bringing down the edifices as the "baseless fabric of a vision."

Digitized by Google

The great battle was over the Endowment question, and it is safe to say that at the outset the majority was against any change. It was a formidable majority as to numbers and not without ability as to champions. There was an honest difference of opinion but as it often happens the most honest may be wrong in judgment, simply from lack of knowledge or want of investigation, so in this instance it was evident that the opponents of change were antagonistic not so much from lack of intelligence as from employment of their intelligence in the study of the serious problem under consideration.

The result ot the battle proved that no narrow or purblind spirit actuated these combatants for the old regime. Once convinced the intelligent yielded not only with grace but with conviction of their error, while those representing more stubborn elements or being themselves deficient in reasoning power, surrendered not only because opposition would have been impotent, but as we love to believe, from a true fraternal spirit born of the teachings of our noble Order. These conflicting but finally harmonious elements of antagonism were represented by Brothers Hecht, Goslin, Mohr Fink, Davis, Michaelson, Stern, Suhler, Pfeifer, Wilczinsky, Oehlberg, Mayer, Wertheim, Henry Straus, etc., while on the side of sound and irrefutable fact and reason stood Joseph Hirsh of the Executive Committee of the Order, representative from Vicksburg, the "silver tongued" orator, who to his graceful diction added the sharp and incisive blade of satire, tempered with the keen wit of humor and good fellowship.

Samuel Hirsch of Memphis, with his sturdy convictions, the result of patient investigation.

Samuel Ullman of Birmingham, full of practical sense, adorned with philosophical flowers fragrant as from a garden.

Godchaux Levi, refined and cultivated in expression, gentle of manner but firm and irresistible in logic.

Nathaniel Straus of Mobile, a "warrior bold," with the imagery of a poet and the flashing scimitar of an Oriental.

Joseph Magner of New Orleans, tremulous with emotion, pathetic and moving in spirit and action and earnest to a fault.

John Reichman of Texas, with a battle-axe of figures, hewing down all sophistical computations.

Moses Mayer of Louisiana, the veteran Cross-Sworder, standing by his new convictions with the zeal of a new-born convert.

And last but not least, Leo. N. Levi towering in form and

Digitized by Google

majestic in intellectual prowess, dealing right and left overwhelming blows, like another Scottish chief, to each rising antagonist.

It was in vain that the soft zephyr-like eloquence of Rabbi Hecht of Alabama sought to woo by caressing question and many a rising doubt his irrefragable answer and convincing logic ; gracefully he lowered his fine tempered foil and yielded to his gallant victor.

Like a torrent reigned the blows of David Goslin of Texas; like another Archimedes, figures were piled up like Pelion on Ossa until the pyramid seemed to reach beyond the grasp of ordinary mortal. Gigantic like a Hercules he hurled these massive columns against his foes, but again all in vain they were shattered by the sheer force of analysis and made to crumble in the dust.

Then came Henry Straus of Mississippi, on a full-blooded charger trampling all beneath; nothing seemed to stop before him, but lo ! another Rarey confronted the wild courser and he fell away completely captivated ; and now Michaelson of Dallas with the fury of a Bedouin appears upon the scene only likewise to be vanquished.

Arkansas in the person of Henry Fink, clad in the armor of a knight of old, with glistening lance sought to stay the resistless cohorts but fell gloriously beneath their invincible charge.

Mohr of Montgomery, put in several brilliant strokes and at one time it seemed as if victory would perch upon his banner, but again the " Lone Star Hero " broke the charm and won the field.

Suhler and Wertheim fruitlessly essayed to stay the retreating ranks, but gave up in despair as Wilczinsky of Mississippi, with gallant conviction streaming from his eyes, gave the final note of surrender and joined the victorious columns.

The battle was over, but not to the victors alone belonged the spoils. The revised and new Endowment Law secures to all brethren according to its provisions and conditions, just and equitable rights and benefits, based upon sound policy and experience and with such security as to relieve the mind from care and make durable the fund for the relief of widows and orphans.

There were many other earnest and able men in the convention, such as the veteran Grand Secretary A. S. Myers, Samuel Schloss, S. L. Lee, Rabbi Berkowitz, M. L. Ernst, Silas Stern, A. Herzfeld, S. L. Winner, Ferdinand Marks, Gabriel Kahn, L. Caspari, A. Gugenheim, Charles B. Miller, H. Gronauer, Charles L. Gross, Dr. E. M. Tillman, Rev. J. Herz, etc., who though they took no active part in the debate had well-conceived and settled judg-

Digitized by Google

ments upon the question at issue, and whose votes told in the end in favor of the new and revised legislation.

Each day's proceedings were followed by an audience largely composed of ladies representing the beauty and intelligence of our Southern sisters, besides members of the several lodges of Memphis and vicinity. Prominent among others was Rev. Brother Dr. Samfield who though not a representative, having with his usual modesty declined in order to allow younger aspirants to participate, nevertheless took a deep interest and exerted no slight influence upon the result. The press of the city and particularly the daily *Scimitar* brought full reports, the latter, having one of its most accomplished editors, Mr. N. Picard, present during the entire session and who to the accuracy of a faithful reporter added the grace and charm of an accomplished writer.

District No. 7 may well be called the "banner District" for the broad and catholic spirit which animates its work. It contributes to the support of the Cleveland Orphan Asylum, to the Home at New Orleans and to the Touro Infirmary in the same city, three institutions which command the sympathies not only of Israelites but people of all faiths. It is foremost in its love forthe sacred principles of humanity and charity and quick to defend and protect all who suffer by the reason of being Hebrews. It was delightful to behold such noble enthusiasm, sustained and supported by thoroughly practical measures, dictated by sound judgment and determined purpose.

The social features of the occasion were of an unusual remarkable character. On the first evening of the convention an Operetta was given at the Opera House by an amateur society composed entirely of young and gifted Israelites. The performance was admirable both in acting and singing and won enthusiastic applause.

On Tuesday evening a splendid banquet and ball was given at Gayoso Hotel, more than 300 guests participating. The toilettes were exquisite, the *menu* par excellence, the music enchanting and the speeches above the ordinary level of such occasions.

Memphis of Egypt was renowned in story but not a rack remains of its ancient glory. Modern Memphis forever redeemed from plague by wise legislation which has made its beautiful avenues and garden-like streets rivals of Northern cities, with its hospitable homes and its beautiful daughters, is destined to a future which must eclipse and outlive its ancient prototype founded as its spirit and life is, on human love and the best hopes of humane actions and humane endeavors.

Digitized by Google

Affairs of the Order

Convention of Grand Lodge No. 2.—The annual meeting of D. G. L., No. 2, I. O. B. B., which embraces the states of Kentucky, Indiana, Ohio, Missouri and Colorado, convened in 35th annual session at Louisville, at 10 o'clock, Sunday, May 15th, under the Presidency of B. Mahler, Esq., of Cleveland, and the veteran A. Abraham, Esq., of Cincinnati, in his accustomed post as secretary.

All but 14 lodges of the District were represented. Among others we were pleased to greet such old "war horses" of the Order as Joseph Abraham, Isidor Bush, H. Bamberger, S. Ullman, Lipman Levi, Nathan Drucker and such "shining lights" as Victor Abraham, Dr. Wolfenstein, August Brentano, M. A. Marks, I. Hartfield, Henry and Gus Loewenstein, Jacob Furth, Isaac Koperlik, Hon. Phillip Schloss, Louis Ichenhauser, I. N. Heims, etc.

The proceedings of the convention were entirely harmonious and the several reports of officers indicated continued prosperity of the District.

The message of the President and the annual reports of the Secretary, Treasurer, Trustees of the Orphan Asylum, etc., will be found in our official department

Tuesday afternoon, the 16th inst., the Grand Lodge held a memorial service commemorative of the death of the late lamented Nathan Bloom and L. H. Weisbart, the latter having been the first President when the District was formed.

Eulogies were pronounced by Brothers Benjamin F. Peixotto, Isidor Bush, Jacob Furth and Joseph Abraham, and appropriate resolutions were adopted. Among other matters the convention decided that the wearing of regalia had been abolished by the Constitution Grand Lodge and that no lodge was required to wear regalia in future. This action was taken in consequence of the question having been raised during the past year and of the practice of wearing regalia by officers in some lodges. No sooner was this decision reached than the Grand Lodge Officers laid aside their regalia and the convention appeared as a purely civic body.

A very warm debate which called out the rhetorical powers of the orators of the convention was had upon the subject of a society called the Mutual Endowment Fund Association I. O. B. B. of Cincinnati. It was contended that the society was doing business under the guise of an institution of the Order, and that a wrong impression in consequence, was given the public. In defence it was shown that the Association had existed before the Endowment laws were created and while limited in its membership to members of the B'ne B'rith only, it was a chartered institution entirely distinct from the Order. Brothers Bush, Abraham, Furth, Loewenstein and others strenuously contested the right of the society to appropriate as an organization

Digitized by Google

the title of I. O. B. B., and declined before the public in the name of the Order, any responsibility for its administration or business. Brothers Drucker and others warmly defended the association and stated that it had existed for 19 years, had paid out $600,000 in benefits to Widows' and Orphans' and held a sinking fund at present of $125,000. It was finally decided that the Order and District had no responsibility for its operations and that the debate had fixed this point definitely and clearly before the public. The Convention adopted an amendment to the Endowment laws by which, if no heir should be designated by a deceased brother, the amount due at his death should go to the general reserve fund. It was also decided that all meetings of the Grand Lodge except when in executive session should be open to members of the Order.

We commend the official report published in another part of the MENORAH to the careful perusal of members.

The New Officers of District Grand Lodge No. 7.—The newly-elected officers of the Seventh District, which includes the States of Tennessee, Kansas, Arkansas, Texas, Louisiana, Mississippi, Alabama and Florida, consist of the following gentlemen: Gabriel Kahn, of New Orleans, President; Dr. E. M. Tillman, of Dallas, Texas, First Vice-President; Samuel Hirsh, of Memphis, Second Vice-President; A. S. Myers, of Tennessee, Secretary; Charles L. Gross, of Mississippi, Treasurer; S. L. Winner, of Mississippi, Sergeant-at-Arms.

Trustees of the New Orleans Widows' and Orphans' Home: Joseph Magner, of New Orleans; Nat Straus, of Mobile; I. C. Levi, of Galveston; A. Suhler, of Waco; Samuel Ullman, of Birmingham.

Trustees of Touro Infirmary, New Orleans: Max Weil, of Louisiana; Isidore Straus, of Jackson; Simeon Gumbel, of New Orleans.

The new President, Gabriel Kahn, of New Orleans, who is fifty-six years of age, was born in the Rheinpfalz, Germany, and came to the United States in 1852, making the South his home. In 1865 he settled in New Orleans, where he has since resided engaged as a cotton factor, and has been foremost in all charitable works in the Crescent City. In person Mr. Kahn is of large stature, fully six feet in height, of a benevolent countenance and most sympathetic manners.

Dr. E. M. Tillman, the First Vice-President, is also a native of Germany, but emigrated to this country when young, and has long been a resident of Texas. Retiring some years ago from his profession he has since engaged in a lucrative business, and is now a prominent merchant of Dallas.

Samuel Hirsch, the Second Vice-President, is an old resident of Memphis, a thoroughly practical business man, and greatly honored in his community.

A. S. Myers, who has again been elected Secretary, is one of

Digitized by Google

the war horses of the B. B., an Englishman by birth, his forty years residence in America has made him a thorough democrat in feeling, and in the discharge of his responsible duties he has proved a most worthy successor of the lamented Ullman.

Charles L. Gross, the new Treasurer, has long been a resident of Mississippi and a prominent Mason of that State, holding high offices in the fraternity. Born in Alsace, near Strasburg, he became a resident of the United States in 1839, and in 1854 settled in Canton, Mississippi, where he has since resided. He is at present High-Priest of the Royal Arch Chapter of F. and A. M.

The annual meeting of the Executive Committee will be held in New York on Sunday, June 5th, at the residence of Julius Bien, Esq., the President.

The present members of the Executive Committee consist of: for District No. 1, M. Thalmessinger, New York. District No. 2, Isidor Bush, St. Louis. District No. 3, Josiah Cohen, Pittsburg. District No. 4, Joseph Bien, San Francisco. District No. 5, William Lovenstein, Richmond. District No. 6, Edward Rubovits, Chicago. District No. 7, Joseph Hirsh, Vicksburg. District No. 8, D. Wolff, Berlin.

We are assured that a majority of the committee will be present.

Jewish Orphan Asylum, Cleveland, Ohio.—A regular quarterly meeting of the Board of Trustees and Directors was held Sunday, April 17, in the parlors of the Asylum.

The Superintendent, Bro. Dr. S. Wolfenstein, stated in his quarterly report that the number of inmates had increased to 309, and that the health of the children was at present quite satisfactory. During the past quarter a slight epidemic of measles had visited the Asylum; forty of the orphan children were attacked by the disease, all within one week. The new hospital, which had been used as such for the first time, proved to be of the greatest value, and for such emergencies indispensable, and no doubt, through the proper facilities to isolate the sick, the spread of the epidemic was checked in time.

The Financial Secretary reported the following receipts during the quarter: For the General Fund, $7,639.24; for the Sinking Fund, $3,200; and for the Building Fund, $13,521.93. The disbursements of the quarter amounted to $9,717.

The Special Committee on the New Building reported that work had been resumed and is progressing well. During the quarter $3,330 have been expended; the amount paid up to date aggregates $35,365.50, and the amount contracted for thus far is $137,465.

On motion, a committee was appointed to draft suitable resolutions expressing the sentiments of the Board at the loss of its noble member, the late Nathan Bloom, of Louisville, Ky. The

Digitized by Google

President placed on this committee the Messrs. Simon Heavenrich, A. J. Friedlander and Rev. M. Samfield; also the Secretary.

Mr. Simon Heavenrich handed to the Board, as a donation to the Orphan Asylum in behalf of Max Heavenrich, Esq., of East Saginaw, Mich., his paid-up life insurance policy for $1,000, which was accepted with thanks.

Subscriptions and collections made in Chicago for the new Orphan Asylum Building Fund. amounting to twenty-three thousand one hundred and ninety-three dollars ($23,193) were reported.

A vote of thanks was passed to the President, A. Hart, Esq., for his indefatigable efforts in behalf of the institution, and also to Dr. E. G. Hirsch and Dr. Samuel Sale.

Mr. Simon Heavenrich handed to the Board $2,705 subscribed and collected in Detroit, Mich., for the building fund, which was received with thanks.

Mr. Sol Rauh delivered to the Board $400 collected in Dayton, O., and Mr. M. A. Marks turned over $60 collected in Madison, Ind., also for the building fund.

A communication from Mr. B. A. Feineman, of Kansas City, Mo., was then read, informing the Board that he, in conjunction with Mr. Max Isaacs and Mr. Jos. C. Manheimer, had obtained subscriptions for the new building amounting to $3,000.

The Secretary submitted to the Board twenty-four applications for admission of orphans, which were all acted upon. Twenty of the applicants were admitted and four applications laid over for further consideration.

The vacancy in the Board of Directors caused by the death of Nathan Bloom of Louisville, Ky., was filled by the election of S. Ulmann, Esq., of the same city. The meeting then adjourned to July 10, 1887.

THE B. B. IN GERMANY. *Bielefeld.*—On Sunday, April 17th, Westfalia Lodge celebrated its first anniversary. Many members of other Lodges, as well as friends of the Order, were present on the occasion.

Bro. Pr. Junkerman delivered the opening address and Bro. Pr. Heineman made an eloquent appeal in favor of further activity, and extended the congratulations of Zion Lodge. Bro. L. Hirschfeld then warmly spoke of the high object pursued by Westfalia Lodge as one of the branches of the wide spread Order. Bro. I. Hirschfeld followed and read the annual report of the successful working of the lodge.

A dramatic performance, supper and ball closed the entertainment.

Ratibor.—Our young sister lodge in Ratibor is developing great progress in promoting the true spirit of B. B. The growing membership and the earnest work of the Brothers is promising highest prosperity to the lodge. The absolute harmony which prevails in the midst of the brothers, and their zealous activity to lead in the

Digitized by Google

humanitarian field, as well as in the endeavors of raising the intellectual and social status of the members is remarkable.

Bro. Cohn, member of the superior court, delivered on April the 3d, a most interesting and able lecture on the subject of "Our Nourishment."

All the members with their families were present and followed the lecture with greatest attention and heartily applauded at the close.

A supper followed and kept the members and their friends till early morning.

Magdeburg.—Mendelssohn Lodge celebrated its second anniversary on May the 31st.

The installation of Halberstaedter Lodge is to occur the first week in June.

Hamburg.—On April 28th Dr. Jonas delivered an able lecture before the members of Henry Jones Lodge, their families and friends.

The subject of the talented speaker was: "The Situation of Aliens in Judaism."

As customary, supper and dancing kept the assembled till a late hour after midnight.

Ophir Lodge No. 21, I. O. B. B., San Francisco, May 5, 1887.—Bro. Past President Samuel Platshek, who departed this life last month, was a member of our lodge for over twenty years, and was blind since 1876, being entitled to $10 per week sick benefit since that time until his death, being an amount of nearly $6000, and he never drew one cent from the lodge all that time, and his brother, Julius Platshek, even devoted the funeral benefit of $75 to the Lodge. In consideration of his many virtues, etc., our lodge presented to his family in memoriam, a set of resolutions on marble, 26x30, carved letters, something magnificent and unprecedented. It was presented by the Committee last week, and Bro. P. G. Pres. D. A. D'Ancona made the presentation, accompanied by Bro. Grand Pres. Marcus Levy, Bro. Pres. A. D. D'Ancona and Past Pres. G. Cohen, M. Kalmuk and M. Osterman.

Yours fraternally, M. OSTERMAN, *Sec'y.*

A. S. Myers, Esq., the amiable and accomplished Secretary of D. G. L. No. 7, was the recipient during the past month of a token of esteem from his lodge which must have been most gratifying. With his good lady and charming daughters he was entertaining a number of eminent representatives at dinner one afternoon, when suddenly the door bell rung and a committee, headed by the Poet Lee, appeared and, entering the parlors, presented an elegant book-case and writing-desk which had been previously sent, but concealed from view, to the astonished recipient. Brother Lee in an eloquent speech in which he depicted the eminent services and unselfish devotion

Digitized by Google

of Brother Myers said that his lodge in recognition and as a slight mark of their affection desired to present him with this token of their esteem and appreciation.

Brother Myers, taken wholly by surprise, was for some moments almost unable to speak, but finally expressed in a few words his deep sense of acknowledgment for the magnificent gifts.

It is hardly necessary to add that the health of Brothers Lee and Myers were drunk by the assembled guests and the best of good feeling prevailed in consequence.

The *Jewish Spectator*, of Memphis, says: "At the conclusion of President Levi's address, Hon. B. F. Peixotto, of New York, late Minister to Roumania, and now the editor of the MENORAH, was conducted to the platform, and after a few words of introduction by President Levi, in which Mr. Peixotto's services to the Order, to humanity and Israel were eloquently referred to, the latter gentleman addressed the Convention, and made a powerful appeal in behalf of the Order, referring to its past achievements in stirring tones, and urging its members to further triumphs. The speaker impressed upon his hearers the fact that the Order had still a vast field to traverse before it could be said to have accomplished its destiny.

"He reminded his brethren that there was work to be done, and much of it, before they could afford to relax their efforts in the cause to which they were devoted. The mission of the Order was to revolutionize thought and restore Israel to as proud a position of influence in the world's intellectual empire as when she swayed the sceptre of Jerusalem, and from her lofty throne dominated the world.

"The Order, though approaching its fiftieth anniversary, was as yet but in its infancy, and had before it mightier tasks which would call for its loftiest and most heroic efforts. The young men of Israel were again rallying to its standard, and would prove as valiant champions for the cause as those who in its early days struggled to plant its banners on these shores.

"The speaker continued in a similar fervent strain for several minutes, and was cordially applauded at the close of his eloquent remarks."

Zephaniah Lodge No. 131, of Rondout, N. Y., numbers a membership of fifty, all but two of whom were present at the recent visit of the Grand Lodge Officers. The speech in German, of Bro. Morris Adler, First Vice President of the District, elicited warmest applause and was a masterly effort. Bro. Isaac Hirsch, of this Lodge, is an indefatigable worker and promises considerable accession of new members at an early day.

Digitized by Google

Speaking of President Levi, the *Memphis Spectator* says: "He is a young man of about 35 years of age, of handsome appearance and pleasing address. He is possessed of a clear, sonorous voice that penetrates every part of the building with ease, and reads with a skill that discloses marks of careful cultivation. He was frequently interrupted throughout his reading by the warm applause of his audience."

Chronicles of the Day

Hebrew Technical Institute.—The formal opening of the new quarters, 36 Stuyvesant Street, of the Hebrew Technical Institute took place on the 17th inst., in the presence of a large audience, who assembled to witness the working of the various departments and to listen to the addresses on the occasion.

James H. Hoffman, Esq., the indefatigable and intelligent President, welcomed the guests, and among other excellent things said:

"It is but little over three years ago when this movement was inaugurated by the co-operation of the United Hebrew Charities, Hebrew Orphan Asylum, and the Hebrew Free Schools, and that of a few philanthropic co-religionists, having for its object the training of Jewish boys in the mechanical arts, united with such mental instruction as would induce a liking and best fit them for the occupation of of skilled mechanics, and thus open, especially to the youths of the poorer classes of our race new, useful and honorable avenues of employment.

"To accomplish this, deep rooted prejudices, existing for centuries, had to be overcome, and a system of instruction had to be devised, for which few, if any, precedents could be found.

"Beginning with a class of twenty-five, we now have nearly ninety boys on our rolls, which we expect to increase to one hundred and twenty-five this summer, under a well organized staff of seven intelligent and devoted instructors, with an able director at their head.

"About twenty boys have already graduated from this institute and were found remunerative employment in a variety of artistic, mechanical and industrial pursuits. It is especially worthy of note that not one of them did or would enter upon a commercial career.

"May we not hope, judging from this auspicious beginning, that grander and lasting results, that will be a blessing to coming generations, will follow, and for this we ask a general support, which alone can assure a permanent success."

Digitized by Google

Mr. Hoffman then introduced Mr. J. H. Schiff, whose admirable address we shall give in full in our next number. Speeches were also made by Wm. Jones, Esq., Assistant Superintendent of the City Public Schools, who praised the Jews for the interest taken in educational matters, and assured those present that the institute's progress was being closely watched, as its successful development would exercise an important influence in future educational methods of the city and state. Edward Lauterbach, Esq.; Lewis May, Esq.; Hon. Myer S. Isaacs, who each and severally commended the good work already acheived, and predicted still greater results. Henry M. Leipzeger, Esq., Director of the School, concluded the ceremonies in an address, which, for its practical exhibit of the work of the school, left a deep impression, and secured still stronger influence in its behalf.

Y. M. H. A.—The annual meeting of the Y. M. H. A. was held on the 27th ult. M. W. Platzek, Esq., President, delivered his annual address, and among other things said: "With all the efforts that had been made to popularize the society it had not yet reached the permanent position it deserves. It seems as if those who should directly benefit by its existence, and for whose special advantage it was established, our young men are, as a rule, indifferent to its condition, and that the older generation, who should encourage the society for the unquestionable good it is capable of yielding their sons and daughters, are equally averse to any active interest in its welfare. While thoughtful observers concede that there is at present as much necessity for such an association as when it was first established, and those who have at heart the good of American Judaism would regret to see its work curtailed, if not suspended, there has been little demonstration tending to prove that the society is properly appreciated.

"Thirteen years of active work for the improvement of members and amelioration of our poor brethren who are not enrolled; thirteen years devotion to the principles that called the society into being ought to have found us in a more enviable position than with an empty treasury and less than 900 members. But we do not despair, there is seed in this society, there is good work for it to accomplish, and there are philanthropic people who have not yet lost heart in its well-being. We have warm friends who have steadily contributed to the cause in person and in purse, and such friends will not let this society pass into oblivion.

"Its history for the past year is one of steady work pursued under much pecuniary disadvantage. From May 1st to Nov. 30th, 1886, when the books of our library were turned over to the Aguilar Free Library Society, the circulation in the up-town branch was 6,738 and in the down-town branch, 10,516.

"In view of the legislative act of 1886, which enabled any free library society possessing 10,000 volumes circulating 75,000 volumes per annum, and owning $20,000 in real estate, to apply to the Board

Digitized by Google

of Estimate and Apportionment for an annual appropriation of $5,600, and the Board of Directors believing that this branch of the work could be more effectively carried out by a free library society, practically brought into life the Aguilar Free Library Society, and contributed its library of 8,000 volumes to the new organization. The books of the library of the Hebrew Free School Association, numbering nearly 3,000 volumes, were also merged into the new library, which thus started with about 11,000 volumes.

"The policy of the association in this respect has been more than justified by the results of the past few months.

"During the month of April about 10,000 volumes were circulated, of which nearly 7,000 were distributed in the thickly settled Hebrew district down-town. This important step was taken with a view for the improvement of our co-religionists residing in that district, who require every refining and Americanizing influence to counteract the effects of the unfortunate conditions to which they have been hitherto subjected.

"It now remains to be seen if those who have been public-spirited in other movements will follow the generous example of Mr. Jacob H. Schiff, who donated $10,000 to enable the society to acquire the needed $20,000, and thereby practically carry out the missionary work which it has in view. Scanty as are the accommodations in 206 East Broadway, the reading-rooms are nightly crowded mostly by emigrants.

"The receipts of the year were $8,306, which includes dues, $3,611; strawberry festival, $1,385; bequests of Isaac Vogel, $1,000, and of Simon Enoch, $500. The disbursements were $7,718, leaving a balance in hand of $588. The financial condition of the society at present is very discouraging."

We regret that we have not space to give other portions of Mr. Platzek's able and eloquent address. It will no doubt be printed, and we commend its perusal to all who have at heart the true interest of Israelites.

The following officers were chosen for the ensuing year: Manuel A. Kursheedt, President; Morris W. Benjamin, Vice-President; Nathan Straus, Treasurer; Moses Herrman, Recording Secretary; Henry Duschnes, Financial Secretary; Joseph Blumenthal, Nathan Straus, Reuben Arkush, Moses Herrman, Julius Levy, Joseph Koch, F. Sonneberg, H. Duschnes, R. H. de Leeuw, William B. Friedburg, Directors.

Among the graduates of the Law School of Columbia College, on the 25th ult., were the following co-religionists: L. E. Bomeisler, E. L. Falk, A. L. Fromme, L. J. Grossman, S. K. Lichtenstein, H. I. Meinhard and Fred. Spiegelberg; the latter gained the prize of $150 in constitutional history and law, and Mr. Fromme the third prize of $100 in the department of municipal law. On the 26th inst. the following young Israelites were among those who graduated from

Digitized by Google

the law department of the University of New York: Joseph L. Buttenweiser, Herman Fromme, David Hirschfield. David May, Isaac M. Kapper, Joseph C. Rosenbaum, Isaac L. Van Orden. Messrs. Kapper and Rosenbaum received "honorable mention." Two prizes of $100 each were awarded V. C. Dowling, a brilliant young essayist and fine speaker, and though the fortunate graduate deserved the honor, we think, as the committee agreed that his competitor "was almost, if not, fully his equal," they should have divided the gifts. The address of Prof. Dwight at the former college was admirable in every respect, while that of Vice-Chancellor McCracken at the latter evinced a sectarian spirit wholly at warfare with the great science of which he assumed to be the exponent. Mr. Buttenweiser's theme was a masterly effort. and brought down the house, while his valedictory was replete with good sense and many touching *passus*. Among those present upon the platform of the Metropolitan Opera House, on the latter occasion, were Professors Jacques and Russell, Chief Judge Larremore, Smith Ely, Charles Butler, W. R. Martin, ex-Judge Myer S. Isaacs, M. W. Platzek, Mr. Tuttle, Benjamin F. Peixotto, Theodore Havemeyer, Prof. John H. Draper, etc.

Recently, in the beautiful and flourishing City of Selma, Ala. Hon. S. Maas was elected Mayor for the next two years. On being sworn into office, on the 13th ult., our public spirited co-religionist said: "It is a good sign of the times when illiberality, intolerance, fanaticism, bigotry and mistrust give way to advanced education and enlightenment, by bringing forward to the head of municipal affairs one whom you are willing to trust, which goes to show that he is trustworthy. Such being the condition of the public mind, their liberal views and ideas are bound to inure to the welfare and happiness of all classes. Nothing is to be feared from an educated and enlightened people, but it is the ignorant and uneducated, who are still wrapped up in ideas belonging to the dark ages, that are to be dreaded. Fortunately for all mankind the number of that class are growing less year by year. It is to be hoped that the time is not far distant when moderation and liberality will be proclaimed by all mankind; then, indeed, will all dwell together in peace and harmony, when all governments and municipalities will be carried on without strife and mistrust."

Peter Zucker, Esq., a talented young lawyer, has been elected President of the Board of Education in Cleveland. Considering that Mr. Zucker is a Republican, and that a majority of the Board are Democrats, this is a marked recognition of the superior qualities of our co-religionist who, in fact, has for a number of years, as a member of the Board, proved his untiring devotion and fine abilities in the cause of public education. Mr. Zucker is himself a graduate of the High School of the "Forest City."

Digitized by Google

Vienna, May 27.—A sensation has been caused by the conversion to Judaism of Fräulein Blaskovich, a member of one of the oldest families of the Hungarian nobility. Her formal reception into the Jewish faith took place in the synagogue here yesterday. She will marry a Jewish banker of this city, the Baron Konigswarter.

The Israelites of Chicago have already subscribed $23,193 for the new Hebrew Orphan Asylum building of the B'nē B'rīth at Cleveland. Other cities are following the example.

George D. M. Peixotto is at present engaged on his painting from life of the portrait of Chief Justice Waite of the Supreme Court of the United States.

Moses Ezekiel has sent from his studio in Rome, to Baltimore, a life-size bust of the late celebrated composer, Franz Liszt.

Editor's Bureau

THE first year of a new enterprise is always attended with difficulties; a thousand obstacles have to be overcome, prejudices conquered, and evidences given of good faith and qualification.

We believe to have largely succeeded in establishing the character of our publication, and with the means at our disposal made an acceptable work. The soil, though virgin, was not altogether free from impediments, and the planting has not yet been fully accomplished, while it will take yet some seasons ere we can hope to have such a cultivation as we would fain secure.

For the coming year we are promised the active co-operation of some of the best minds within and without the Order, and we hope to make the MENORAH more than ever welcome in every household where the substantial benefits of true culture are esteemed and valued above the fleeting pleasures of the hour.

"The beings of the mind are not of clay
Essentially immortal, they create
And multiply in us a brighter ray
And more beloved existence."

Digitized by Google

And they who really live for something purer than the mere glitter of life will come sooner or later to recognize the value of such endeavors as the MENORAH has attempted, and will persist in making, for the elevation of our common manhood.

WE commence in this number of the MENORAH a translation of Dr. Gustave Karpeles' recent work on the "History of Jewish Literature" The translator, Dr. Richard J. H. Gottheil, of Columbia College, is not only a fine German scholar, but a master of the English tongue, and already, in the introductory, gives unmistakable evidence of having caught the spirit and the happy popular style of the distinguished author whose work he has undertaken to interpret, and which we are gratified to present to our readers. It is the first translation of Dr. Karpeles' work which has appeared in the English language, and we feel confident will be appreciated by the general reader as well as the student.

It has been the aim, in fact, of Dr. Karpeles to write more for the former than the latter, realizing how great is the deficiency of knowledge of the subject by the great mass of readers, and we think this remark will apply almost equally to Israelites as to those of other faiths.

As the author remarks: "*A complete enumeration of all scientific works, or of the many scholars, is outside the province of this book. It intends merely to show that the intellectual life of the Jewish people is part and parcel of the great intellectual life of mankind; that its literature is an essential part of the literature of the world.*"

We particularly commend this noble undertaking of our accomplished collaborateur to the young men of Israel, who, by their association with the Young Mens' Hebrew Literary Societies already organized and forming throughout the land, exhibit their earnest desire to become more familiar with Jewish history and literature. It is by a perusal of such works that they may hope to make their societies in fact, as well as in name, truly literary bodies, with higher aims and worthier objects than those which have until now characterized their proceedings.

IN the April MENORAH we published the letter of G. A. Levy, Esq., President of District Grand Lodge No. 7, regarding the outrages perpetrated upon several highly respectable Israelites in

Digitized by Google

Avoyelles, La. The subject is referred to in his annual message (see Official Department) and was acted upon by the recent convention, held at Memphis which passed the following resolution:

Whereas, It has been reliably stated that an outrage has been committed in Avoyelles, La., against two citizens of said Parish who are Jews, and which acts of violence were directed against them as members of our faith, Be it

Resolved, That the President of this District Grand Lodge address a communication to the civil authorities of the State of Louisiana expressive of thanks of this Grand Lodge for the active part taken towards bringing the offenders to justice and ascertain whether any action on our part supplemental be necessary to secure the ends of justice.

The newly elected President Gabriel Kahn, Esq., of New Orleans, in transmitting the resolution writes to the Executive of the State as follows:

New Orleans, May 23d, 1887.

To His Excellency S. D. McENERY, *Governor of Louisiaua.*

DEAR SIR:

I have the honor herewith of transmitting to you certain resolutions adopted at the Convention of Grand Lodge No. 7, Independent Order of B'nē B'rīth, held at Memphis, Tennessee, May 12, last.

I fully join in the thanks therein conveyed to the civil authorities for their efforts sustaining the laws of the country, and in the defence of that greatest of all boons, religious liberty, and in my official capacity I pledge you all the support, if any should be required, to aid you and the constituted authorities of the State, in upholding law and order necessary to the protection of the life and property of citizens without distinction of faith. With highest regard, I am, very respectfully, your obd't servant,

GABE KAHN,
President District Grand Lodge No. 7.

While in Memphis we learned from several delegates resident in the vicinity of Avoyelles, that the perpetrators of the fiendish outrages upon Messrs. Kahn and Bauer were still at large, and threatened to renew their cowardly attacks at the first opportunity. These villains should be apprehended without delay and brought to condign punishment. The fair name of Louisiana should not be tarnished by such acts of barbarism, and we commend the action of the Grand Lodge in proffering its support, and in the language of one of the speakers sustaining the resolution, "Even if it takes thousands of dollars and the best legal talent of the country to bring the offenders to justice."

ELSEWHERE we publish the annual message of Bro. Godchaux A. Levi, Grand President of D. G. L, No. 7. It is a clear and able

Digitized by Google

presentation of the work of his District during the past year, and contains matters which should have the best thought of all B'nē B'rīth.

Such men as Bro. Levi, a public-spirited citizen and eminent banker of Victoria, confer honor upon the Order by their intelligent conception and ceaseless activity in behalf of its high and elevated objects. It is not the office which honors such men, it is they who honor and shed lustre upon the office. Unselfish, disinterested, animated by a noble spirit, eloquent in speech and resolute in action, Bro. Levi has made a model president, and is reserved for still higher honors in the Order and in public affairs of the land. Every brother should carefully peruse his message.

OUR esteemed *collaborateur*, Bro. Dr. E. M. Friedlein, attained his 80th year on the 26th ult. and was the recipient of congratulations from many warm friends and numerous admirers.

The following tribute from our esteemed contemporary, the *Hebrew Standard*, has our heartiest endorsement: "Dr. Friedlein is still in the enjoyment of all his mental faculties, and with the exception of his sight, which is somewhat impaired, and a feeble gait, is in good health.

He still takes a deep interest in all questions concerning Judaism, the Order of B'nē B'rīth and the Order of *Treue Schwestern*. The monthly journal of the *Caecilie Lorsch Fortbildungs-Verein* never appears without an editorial from his pen, and he greets his friends with the old cordiality.

Dr. Friedlein, though never holding an official position outside of the Order B'nē B'rīth, occupied for years a prominent position in American Judaism. His voice was heard on all questions that concerned the progress of the Jewish religion, and his prolific pen was never wanting in the assertion and defence of those principles, which in his opinion were essential in maintaining and preserving its grand work and lofty tenets. His profound knowledge of Talmudic and Jewish literature, his classical education, enabled him to speak with authority on all weighty questions, and his judgment of men, though often severe, was never tinged with bias. During the adolescence of the Order of B'nē B'rīth, he was one of the leading minds, and its modern development is due no little to his sagacious advice, his devoted attachment to the Order and the principles it represents, and to his fearless championship of progressive ideas. A life long

Digitized by Google

friend of Julius Bien, the President of the Executive Committee he was always in full accord with him in the direction given to the Order under his wise leadership, and he never missed an opportunity to express his admiration for the man who has occupied the highest position in the Order for nearly twenty years, and whose name will be forever linked with that of Henry Jones as the fathers and builders of the greatest of Jewish Orders."

OUR acknowledgements are due to Dr. M. Samfield, the accomplished editor of the *Jewish Spectator*, and to N. Picard, Esq, of the Memphis *Scimitar*, for their excellent daily reports of the proceedings of the Memphis Convention. The enterprise displayed by our talented *confreres* won general applause and elicited the unanimous thanks of the convention in a special resolution.

AMONG the representatives at the late convention at Memphis we were pleased to take by the hand Hon. Louis Caspari, who has for the last four years been, and still is, a member of the Legislature of Louisiana. Bro. Caspari is one of the leading citizens of Natchitoches, and it was owing almost entirely to his efforts that the first Normal College in the state was established in his city two years ago. Bro. Caspari takes a deep interest in the cause of education, and is besides a man of great public spirit and enterprise.

JOHN J. DAVIS, of the *Hebrew Journal*, whose untimely death, at the early age of twenty-nine, has cast a deep gloom over a loving family circle and among many warm-hearted friends, was a modest, retiring gentleman of most kindly impulses and decided editorial enterprise. An earnest friend of the poor immigrant, he gave also much time and labor in support of the "Sanitarium for Hebrew Children," of which society he was the efficient secretary. To his bereaved parents we tender our warmest sympathies.

WITH the present number, the MENORAH completes its second volume and first year.

Subscribers who do not otherwise notify us will continue to receive their copies regularly, and will please remit their subscriptions.

Digitized by Google

Business in nearly all lines of trade seems to be very prosperous this season, and there is a constant demand for labor. Mr. Arthur Reichow, the able Superintendent of the Labor Bureau of the United Hebrew Charities, informs us that he has situations for twenty-five tailors to go to Denver, Colorado, good pay, good climate and good employers. Also, near New York, for a considerable number of families with grown-up children, and for a large number of laborers to work on railways in Pennsylvania. Application should be made promptly at the Bureau, 58 St. Mark's Place.

BRO. JOSEPH WILCZINSKI of Greenville, Miss., paid us a visit *en route* for Europe. He sailed by the *Germanic* on the 31st ult., to pay a three months' visit to the Fatherland. Bro. W. is one of the largest Jewish planters in the South, is full of intelligence, enterprise and energy. His brother Jake won the great tournament prize the other day, for which some of the most chivalrous gentlemen in Mississippi contested, and is acknowledged to be one of the finest equestrians in the land.

WE have to express our acknowledgments to Dr. Ludwig Geiger, Berlin, for his *Zeitschrift für die Geschichte der Juden in Deutschland*, a notice of which by our esteemed *collaborateur* Dr. Felsenthal, appeared in the May MENORAH. We have no hesitation in pronouncing this new magazine (issued quarterly) one of the very best publications in the German language.

HON. ISIDOR BUSH, of Mo.; Hon. Wm. Lowenstein, of Virginia; Hon. Joseph Hirch, of Mississippi; Josiah Cohen, Esq., of Pittsburg, and Edward Rubovits, Esq., of Chicago, members of the Executive Committee, write that they will be in New York on the 5th inst. in attendance at the annual meeting of that distinguished body.

WE welcome with pleasure our friend, Wm. C. Wyckoff, Esq., to the editorial chair of the *American Magazine*. The issue for June is a splendid number, handsomely illustrated and brimful of interesting matter. R. T. Bush & Co., 130 and 132 Pearl Street, are the publishers.

Digitized by Google

Dr. Ad. Jellinek, of Vienna, has sent us his "*Gedenkrede auf Herrn Josef Ritter von Wertheimer*," which, like all the utterances of our eminent friend, is full of eloquence, and in this instance deeply touching and beautiul, as a tribute to the illustrious philanthropist.

We are indebted to Dr. A. Berliner for the receipt of several of his publications, specially "*Prof. Paul de Lagarde*," "*Aus den letzen tagen des romischen Ghetto*," *and* "*Rabbi Jesaja Berlin.*" Notices of these admirably written papers will be given later.

Terre Haute was chosen as the place of meeting of the next annual Convention of District Grand Lodge No. 2, in compliment to Hon. Philip Schloss, State Senator of Indiana, and one of the most earnest and devoted members of the I. O. B. B.

More interesting than ever is the June number of *Notes and Queries*, edited and published by S. C. & L. M. Gould, Manchester, New Hampshire.

☞ *SPECIAL NOTICES*

Bloomingdale Bros., cor. 59th & 3d Ave., are not only favorites with New Yorkers, but thousands of strangers flocking to the city from the South and West at this season of the year, visit and make their purchases of this enterprising firm, which have one of the largest retail establishments in the country, stocked with every variety of goods useful and ornamental in a family household. The Messrs. Bloomingdale are generous minded men, beloved of their numerous employees and favorites with the public.

Hungary has long been noted for its wines. The quality of several of its vintages, especially that of Tokay is unrivalled. Next to France, Hungary produces the greatest quantity of wine of any country in Europe. Five years ago in order to further develop the growth of the vine and to improve the quantity of the vintage, the government established the "Royal Hungarian Government Wine Cellar," and placed it under the control of the Hungarian Ministry for Agriculture, Commerce and Industry, the object being to supply the markets of the world with the best wine produced in Hungary, free from any adulteration. The Hungarian Government does not allow the sale of any wines from this cellar except in bottles, of which each has the National Coat of Arms pressed on the cap and a protective label around its neck. Americans need no longer be without these beautiful wines. They have them at their own doors. The well known firm, Willmann, Cosenas & Co., of 2 and 4 Stone Street, New York, have been appointed by the Hungarian Government, General Agents for North America for the sale of these wines, which bear the original protective label of the Royal Hungarian Ministry for Agriculture, Commerce and Industry on the bottles. The fact is attested by the signature of Hugo Fritsch, Esq., the Austro-Hungarian Consul.

For your summer reading go to Brentano's, Union Square. Their stoc is the most varied, and their prices reasonable.

Have your Menorah bound at Levinson's, 30 Chrystie St. The 2d volume is now complete.

Digitized by Google

OFFICIAL DEPARTMENT

Constitution Grand Lodge,

Officers.

Court of Appeals,

Judges.

Annual Meeting D. G. L. No. 7,

Memphis, May 18th, 1887.

Annual Meeting D. G. L. No. 2,

Louisville, May 15th, 1887.

Digitized by Google

EXECUTIVE-COMMITTEE.

Julius Bien, President.	New York.
Josiah Cohen, Vice-President,	Pittsburg, Pa.
M. Thalmessinger, Secretary,	New York.
Isidor Bush, Treasurer,	St. Louis, Mo
Wm. Lovenstein,	Rich mond, Va
Joseph Hirsh,	Vicksburg.
Edward Rubovits	Chicago, Ill.
Joseph Bien,	San Ftancisco, Cal.
D. Wolff,	Berlin.

COURT OF APPEALS.

Joseph Abraham, President,	Cincinnati, O.
Adolph L. Sanger,	New York.
M. K. Cohen	Philadelphia, Pa
Jacob Greenbaum,	San Francisco, Cal.
Simon Wolf,	Washington D. C.
Adolph Kraus,	Chicago, Ill.
Leo. N. Levi,	Galveston, Tex.
Jacob Schroder,	Cincinnati, O.
Morris Goodhart (For D. G. L., No. 8),	New York.

Digitized by Google

MESSAGE OF G. A. LEVI, ESQ.

PRESIDENT DISTRICT GRAND LODGE No. 7, I. O. B. B.

To the Officers and Members of District Grand Lodge No. 7, I.O.B.B.:

BRETHREN :—With gratitude to the Almighty for granting us the privilege of this re-union, I extend to you a most hearty welcome to this the Fourteenth Annual Convention of District No. 7, and trust your labors may result in much good to the District and Order, and be creditable to your wisdom and zeal for the cause in which we are united.

Every year our lodges are called on to select from their members those who are considered most capable to wisely legislate for the best administration of the affairs of the District. This year that choice has fallen upon you, and probably no prior Convention has been burdened with graver responsibilites.

I have a profound hope, not clouded with doubt, that your duties will be undertaken and discharged earnestly and with commendable temper, moderation and fairness.

Looking over the events of last year we find much to be thankful for. Our District has increased not only in membership, but in its finances and its power to do good; and to-day the Order in which it belongs stands forth the peer of any similar institution. The increase during my tenure of office is all the more gratifying, because it marks what I hope is a permanent departure from the discouragements of previous years.

DEATHS.

The feelings of joy and pleasure with which I greet you, my brothers, are, however, mingled with sorrow. During the past year the Angel of Death has not passed us by. The charters of a number of our lodges have been draped in mourning. Some, who were with us at previous conventions and participated in our deliberations, are not with us to-day. They battled well and nobly for the good of our Order, and in many of their lives were typified those virtues which are the cardinal objects of our mission. The grief of their mourning wives and children moves us to fully realize the depths of sorrows we are called upon to alleviate, and the sacredness of our guardianship of the loved ones of the dead.

Digitized by Google

Let us then, as heretofore, watch over and protect the interests of those who have been confided to our keeping, by fostering and maintaining our noble institutions of charity. Let us by our charities make secure the hope, that in departing this life, to our wives and children we leave in our fraternal bond the pledge of protection and the warrant of relief.

I recommend that suitable tribute be paid to our departed brethren by this Convention.

State of the District.

For statistical and financial information, I refer you to the reports of the Secretary and Treasurer.

The report of the Secretary will show that the progress of the District during the year, has been more encouraging and more satisfactory than the experience of the past gave us reason to expect.

Whilst we do not show such increase in numbers as is desired, I am glad to say our progress is fairly satisfactory, and our record compares most favorably with former years. The Secretary's report shows that as against a membership last May of 2,250, our present membership is 2,298, an increase of 48.

On July 1st, 1886, Rev. Bro. Jacob Voorsanger, of Houston, Texas, on account of his removal to San Francisco, Cal., sent in his resignation as a member of the District Court of Appeals, which was accepted, and Bro. L. Frenkel, of Beth Zur Lodge, was duly elected by the General Committee to fill the vacancy thus made.

A charter was granted in March to "Birmingham Lodge No. 368," located at Birmingham, Ala. The lodge was installed by Past Grand President Sam'l Ulman. To him and Bro. A. Slaughter we are indebted for this valuable acquisition to our sisterhood of lodges,

Nahum Lodge No. 300 consolidated with Dallas Lodge No. 197, on January 25th, 1887; and Rockdale Lodge No. 229 consolidated with Hill City Lodge No. 241, in March—Nahum and Rockdale Lodges being unable to maintain their separate organizations.

On March 10th, 1887, Bro. Ferd. Marks, of New Orleans, resigned as Reserve Fund Trustee. His resignation was accepted, and the office left vacant for you to fill at this session.

Digitized by Google

Bro. Sam'l Hirsch's term as Trustee expires by limitation, and is to be filled by an election at this Convention.

Our Charitable Institutions.

Our charitable institutions are the pride of our members, and we point to the good they accomplish in alleviating the sick and distressed; caring and providing for the widows and orphans. They effectually refute the false accusation, that we are merely "an insurance organization." To the reports of the Secretaries of the Cleveland Orphan Asylum, New Orleans Home and Touro Infirmary, which are furnished you, I refer you for the general condition and progress of these enduring and brilliant monuments of Jewish charity.

During the past year the corner-stone of the new and enlarged "Home" at New Orleans was laid with imposing ceremonies, and and it is contemplated that that magnificent and commodious building will be dedicated next October.

The Home now numbers 150 inmates, of which 56 are chargeable to District No. 7. Inasmuch as Bro. C. J. Silverstein, elected by the Grand Lodge at its last session, to serve for two years, has removed to New York, it will be necessary for you to declare his position vacated and elect another city representative in his place.

At Cleveland there are 309 orphans, viz.: 130 girls and 179 boys—all in good health, there not having been a death since April 23, 1882. Of the twenty-three applications on file at Cleveland, there are five from District No. 7, viz.: from Memphis. The Cleveland Orphan Asylum Board of Directors have also found it necessary to enlarge the capacity of that already extensive institution; to aid them in which an appeal to lodges and members of Districts Nos. 2, 6 and 7 has been made. It is the fond hope of the Board of Managers that when the addition, to cost $150,000, is completed, applications can be acted on and admissions be granted without delay.

The necessities of both asylums will become greater as their scope enlarges and faci ities increase, and while I cannot recommend any increased contributions by the District, I sincerely hope that the voluntary contributions of our members will be made more liberal.

The Touro Infirmary continues to open its sheltering wings to

Digitized by Google

the aged, the infirm and the sick; and its usefulness in alleviating the sufferings of humanity, of whatever creed, is growing daily. Whether regarded only practically, or in more exalted aspects, we may well strive to maintain, preserve and perpetuate its usefulness.

The law enacted at the last session of this Grand Lodge, by which it becomes the duty of the President to equalize, so far as possible, the number of orphans in the two asylums, proves to be difficult of execution, inasmuch as the laws governing the Cleveland Asylum exclude orphans under the age of five years. Many applications are for orphans under that age. Not infrequently, where there several of one family, some of whom are under five years of age, our sympathies and sense of right are appealed to not to separate brothers and sisters warmly attached to each other. A resolution was offered last session recommending that the Board of Directors of the Cleveland Orphan Asylum be solicited and urged to abolish the five years limitation; but the Special Committee on Cleveland Orphan Asylum, to whom it was referred, never reported on same.

Inasmuch as there will be an annual meeting at Cleveland in July, I recommend you to adopt resolutions expressive of the sense of this Grand Lodge on the subject, and to direct our representatives to urge such a change in the law of the Asylum.

It would also be advisable to define, in connection with the resolution bearing upon temporary admission to the New Orleans Home, pending the necessary suspension of applications directed to Cleveland, at whose expense such temporary wards are to be transported to Cleveland from New Orleans when their said applications have been reached and admission granted.

Finances.

In entering upon the duties of my office as President, I found, so far as I was able to judge, the finances of the District in proper shape; but to my surprise, I found that according to long established precedent no bonds had been exacted of or made by the financial officers of the District, excepting the Treasurer.

I felt it my duty to exercise the authority conferred on me, and as guardian of the interests of the District, to demand that which the law requires and directs me to exact. Bro. Secretary promptly gave a good and sufficient bond in the sum of $10,000, which a

Digitized by Google

herewith hand to the Grand Lodge. Bro. Edw. Goldsmith, as Chairman of the Reserve Fund Trustees, gave adequate security in a bond for $20,000; and all his associate Trustees, but Bro. Ferd. Marks (resigned), made bond in the sum of $2000.

My object in referring to this is to show how laws become inoperative and ineffective without unremitting vigilance. Previous immunity from loss should not make us ignore the fact that negligence in this respect might, at some time, prove disastrous to the District.

I would, therefore, recommend that all sections or articles of our law referring to bonded officers (Article V., Sections 4 and 5; Article XIII., Sections 15 and 20, and others) be so amended as to make it obligatory for such officers to execute their bonds before entering upon the duties of their office.

I would recommend, in order to obviate the necessity of a separate mileage account, that the mileage dues, as such, be abolished, and in lieu thereof make the per capita tax ($1.50) one dollar and fifty cents per annum, payable in semi-annual installments, and draw on the General Fund created by said per capita tax for mileage expenses. There is now an annual deficit in the mileage account, which is covered by surplus from the General Fund, and and this complexity of accounts should be avoided.

It is your duty to order the salary of the Secretary for the past year to be paid, and to fix his salary for the ensuing year. I recommend that a law be enacted providing for the salary of the Secretary and directing its payment by the month. At present there is no such provision, and the Secretary must perform his duties for a whole year before any appropriation is made for compensation.

I also recommend that a law be enacted providing for the appointment, by each President, of three Auditors, to serve during his term of office. The duties of the Auditors should be defined and should include, at least, one examination per annum of each fund of the District, and a detailed report of such examinations. The character of the examinations should be defined, and should provide for an actual count of money and securities in each District Fund.

Endowment.

The earnest discussion of our Endowment at our last Convention resulted in the appointment of a Special Committee, composed

Digitized by Google

of the exponents of conflicting views. The duty of this committee was to call your attention to defects in our present system, with such recommendations as will place it on a safe and sound basis. Said report, which is hereto appended, has been before your lodges, and any further recommendations than those therein contained (to which I beg to direct your careful attention) would be superfluous.

But in connection therewith, your attention is called to the fact that District No. 7 is the only District that has not complied with the enactment of the Constitution Grand Lodge, that went into effect, April 1st, 1886. I refer to Section 3, Article V., Part 2, of the organic law, requiring the consolidation of the District Endowment Fund, under the supervision of a District Board of bonded Trustees, and under the absolute control of the District Grand Lodge, and not of the individual lodges. Under a misconception of the law, we omitted at our last annual meeting to make the necessary provision for its execution. Our attention is directed to the omission by the Executive Committee of the Order, so that it will be done at this Convention. And I feel confident that this Grand Lodge will unhesitatingly comply with the organic law of the Order, in fulfillment of its duty and obligations to that higher authority.

The enactment of 1885, with reference to the admission of non-participating members under the age of thirty, fails to prescribe any conditions or mode of procedure for the admission of such brethren to participation in our Endowment. Cases may arise where such members contract a fatal disease prior to their provision governing such an emergency, their right to such membership could not be denied. This defect in the law should be cured by appropriate legislation.

I would also recommend that admission to membership in the Order without participation in the Endowment Fund, be allowed to persons over 45 years of age.

By-Laws of Lodges, Etc.

Inasmuch as repeated changes have been made in the laws of the District, the by-laws of many of the subordinate lodges are probably in conflict therewith; and I therefore deem a revision of the by-laws of the lodges essential, in order to avoid appeals, contests and general litigation affecting the rights of members. The

Digitized by Google

inherent, sovereign rights and powers belonging to and granted subordinate lodges in the management of their internal affairs should prompt us to see that their by-laws conform to our general laws, otherwise serious legal questions might arise.

I would therefore recommend the adoption of a resolution making it obligatory upon every subordinate lodge of the District to submit, within sixty days from June 1st, 1887, its by-laws for examination and approval, to the By-Laws Committee; and that only such by-laws shall become operative as shall be approved by the Committee on By-Laws.

Further, that all resolutions of this Grand Lodge in force, pertaining to asylum and other laws of the District, to be printed as an appendix to our Constitution for the information and guidance of members and lodges.

Intellectual Culture.

The recommendation of the last Convention on intellectual culture has already borne fruit and promises in the future to yield an abundant harvest. It has inaugurated lectures on the history of our race and on other interesting subjects pertaining to science, art and literature, and has given life to societies which not only awaken interest in the lodge and its workings, but inculcate an earnest desire for social refinement and intellectual progress.

The movement thus inaugurated is well calculated to develop, elevate and defend the mental and moral character of our race, and thus falls within the scope of our mission.

So far as I have been advised, the lodges at Vicksburg and Galveston have become the pioneers in practical efforts towards intellectual culture. They are emulating each other in a noble cause, and a history of the literary adjuncts to these lodges will doubtless stimulate others to follow in the path already made.

I would renew the recommendations of my predecessor to appoint in each lodge a committee on "Intellectual Culture," and in cities where more than one lodge exists, those committees should confer and direct their efforts towards the organization of a B B. Literary Society as an attractive adjunct to their lodges. I further recommend that a special committee be appointed at this Convention to formulate a practical plan for the creation and conduct of these societies. The report of this committee should be made to this Convention.

Digitized by Google

Amity and Beth Zur Lodges.

In November I received the appeal of Amity Lodge from the action of this Grand Lodge in respect to Bro. D. Nathan's benefit. Under special appointment the same was promptly and ably responded to by Bro. Nat. Strauss, of Mobile, Ala., in behalf of this Grand Lodge and is now pending before the Court of Appeals of the Order.

The Beth Zur Lodge Endowment difficulty has been amicably and satisfactorily settled.

The Menorah, the official organ of the Order, not quite a year old, has done all its projector and founder promised, and even more. Its object is the elevation of our Brotherhood and the proper recognition of Israel by the world. This most valuable publication engenders frequent interchange of thought, and is the means of more closely uniting the districts and lodges, of cementing the ties of fellowship and harmony, so indispensable to the usefulness and prosperity of the Order.

In it are published the official reports of the Constitution and District Grand Lodges, the decisions of the Supreme Court of Appeals, and other interesting matter. As an exponent of the Order, it deserves the liberal patronage of our lodges and members. Every lodge should subscribe for it liberally so that the members may keep posted; and no member who would promote the purer and loftier objects of the Order should deprive himself and family of this journal. It is intended to speak, and does speak, to every Jewish heart and intellect, encouraging the young and giving renewed strength to the mature.

The Avoyelles Afeair.

During the month of March, 1887, in the parish of Avoyelles, La., a dastardly outrage was perpetrated upon two Jews, *as such.* An assault was made on their lives, and it was sought to banish them from the parish because they are Jews. The Order, which has been active in opposing the oppression of the Jews in foreign lands, cannot ignore like oppression at home. I have learned, with pleasure, that the civil authorities of Louisiana have taken prompt and effective measures to bring the offenders to justice, and if it be necessary, their efforts should be supplemented by our aid—and should at least be encouraged by our official notice of the event.

Digitized by Google

I now, in conclusion, beg to return my sincere acknowledgments for the many honors conferred on me, and for the uniform and valuable assistance you have rendered every effort of mine to carry out and observe the law, and facilitate the business of the District. I also thank you for the many evidences of friendship exhibited during our personal and official intercourse, and I sincerely trust that our pleasant relations may be of long duration.

Even at the risk of seeming invidious, I desire to extend especial thanks to our worthy Secretary, who has diligently and ably aided in the conduct of affairs during my administration.

I now beg leave to surrender the important and honorable trust imposed upon me a year ago.

Yours, in B., B. L. & H.

G. A. LEVI,
President D. G. L. No. 7, I. O. B. B.

[*The Proceedings of the Annual Meeting will be published in the July* MENORAH.]

Digitized by Google

ANNUAL MEETING

OF

District Grand Lodge No. 2, I. O. B. B.

HELD AT LOUISVILLE, KY.,

MAY 15TH, 1887.

PROCEEDINGS OF THE GENERAL COMMITTEE OF DISTRICT GRAND LODGE No. 2, I. O. B. B. FOR 1886-87.

The first meeting of the General Committee was held on July 11, 1886, in the parlors of the Orphan Asylum at Cleveland, at which were present Brothers B. Mahler, President; A. Abraham, Secretary; B. Bettman, Lipman Levy and Gus. Loewenstein.

The following business was transacted:

The Secretary reported having received copies of the Ritual as revised according to direction of the New York Constitutional Convention of March, 1885, which he had distributed among the lodges of the District as per instruction from the Executive Committee.

The Bonds of the several officers of the District Grand Lodge were submitted as follows and were all accepted and approved:

From Isidor Bush, as Chmn. of the Endowment Board, for $10,000.00 with Frank Block and Louis Klein as sureties.

" I. Koperlik as Secty. of the Endowment Board, for $5,000.00, with A. Loth and Jos. Glaser as sureties.

" Louis S. Levi, as Treasr. of the Endowment Fund, for $30,000.00, with Sam. Lowenthal and Henry Stix as sureties.

Digitized by Google

From Morris Bauer, as Treasr. of District Gr. L. No. 2, for $2,000.00 with Dave Heinsheimer and L. E. Wertheimer as sureties.

* " A. Abraham, as Secty. of District Gr. L. No. 2, for $500.00, with Lipman Levy and Elijah Newman as sureties.

A communication was received from the Executive Committee announcing the publication of the *Menorah* as the official organ of the Order, and asking for it the aid and assistance of the constituted authorities of the I. O. B. B., and all lodges and members thereof.

Referring to the foregoing circular it was on motion:

Resolved, That the General Committee recommend the *Menorah* to the high consideration of the members of the District, and that the President and Secretary be appointed a committee to present our recommendation to our several lodges.

A communication was received from D. G. L. No. 5, announcing the institution of Leopold Zunz Lodge, No. 364, at Goldsboro, N. C. on May 2.

The following amendments to by-laws were submitted and were all approved:

From Missouri, No. 22—Limiting the payment for sick benefits.

" Ebn Ezra, No. 47—On same subject.

" Osterman, No. 86—Repealing the fine for non-attendance at lodge meetings.

" Ligonier, No. 298—Specifying the fee for admission on card.

" Esther, No. 423—Limiting the payment for sick benefits.

The attention of the Committee was called to the increased and growing lack of interest as shown among our members, and the decrease of membership in our lodges; whereupon it was on motion:

Resolved, That a Committee of five, of which the President shall

*On August 2, these bonds were mailed to B. Mahler, President, for safe keeping, who acknowledged receipt of them on August 6.

Digitized by Google

be chairman shall be appointed, who shall prepare a pamphlet or circular for distribution among our co-religionists, setting forth the objects of our Order, together with such other arguments as they may think proper so as to induce an increase of membership in our lodges. The committee to report at next meeting of this General Committee.

The committee appointed was : Bros. Mahler, Chm'n; Lipman Levy, B. Bettman, M. A. Marks, and A. Abraham.

A bill from Bloch & Co. for printing Annual Report of Proceedings, and sundry other printing, amounting to $164.50 was presented and ordered to be paid.

The meeting then adjourned.

The second meeting of the General Committee was held in Cincinnati on October 17, 1886, at which were present Brothers M. Bauer, Treas'r.; A. Abraham, Sect'y.; Lipman Levy, Gus Lowenstein, and Charles Hirschland.

In the absence of the President, and First and Second Vice-Presidents, Bro. Bauer presided.

The minutes of last meeting were read and approved.

The Secretary reported that he had received a circular from the Executive Committee relating to the Charleston earthquake, with copies for all the lodges of the District, which had been duly distributed.

A circular was received from the Cleveland Orphan Asylum, soliciting aid for the new building about to be erected, which was ordered to be filed.

The Committee to whom was referred the circular from the

Digitized by Google

Executive Committee, relating to the *Menorah*, reported the following, which had been distributed freely throughout the District :

BENEVOLENCE, BROTHERLY LOVE AND HARMONY

DISTRICT GRAND LODGE, NO. 2, I. O. B. B.

CINCINNATI, August 8, 1886.

Brethren :

At a meeting of the General Committee of our District lately held, a communication from the Executive Committee, from which the following is an extract, was received :

INDEPENDENT ORDER B'NE B'RITH.

OFFICE OF THE EXECUTIVE COMMITTEE,
NEW YORK, June 1, 1886.

To the Lodges and Members of the I. O. B. B.:

GREETING!—The *Menorah*, a monthly journal devoted to the interests of the Order, and its recognized official organ. will appear on July 1, 1886, under the editorship of Bro. Benjamin F. Peixotto. Successive General Conventions of the Order since 1874 have expressed their approval of such a publication, and have authorized the Executive Committee to call it into existence, and the last Convention (March, 1885), unanimously recommended it in the following words :

" We indorse the recommendation for an official monthly organ of the Order, provided it contains a true exposition of the aims and rights thereof, and provided further that no taxation be imposed, pledging ourselves, however, in advance to give it our heartiest and sincerest moral support. For we fully recognize that in a true exposition of the principles underlying this Order lies the future prosperity and perpetuation of our beloved institution, and no less the social recognition by all classes of cultured and intelligent citizens."

Our Order, grown into a powerful society, divided and subdivided into Districts and Lodges separated by great distances, the ocean now even intervening, stands in need of an instrumentality for official communication, for the expression and interchange of ideas and sentiments for the development of a higher intelligence and culture, and especially to impress the brotherhood more intimately with what should be an ever-present thought, its UNITY, its SOLIDARITY.

Here it is offered, and we call earnestly and urgently on the constituted authorities of the Order and all its Lodges and members who have its welfare and prosperity at heart, to give the *Menorah* their utmost aid, to make it in

Digitized by Google

fact as well as in name "the official organ of the B'nē B'rīth," wherein Brothers will find in connected and continued form a true history of our work toward the realization of the lofty principles and aspirations of our beloved Order. (Signed).

[L. S.] JULIUS BIEN, President.
M. THALMESSINGER, Secretary.

In reference to the foregoing, the General Committee

Resolved, "That we recommend the *Menorah* to the high consideration of the members of our District, and that the President and Secretary be appointed a Committee to submit our recommendation to our several lodges."

In compliance with the expressed wish of your General Committee as herein expressed, we earnestly call on our brethren to give their support to the new publication, recognized as the OFFICIAL ORGAN OF OUR ORDER, satisfied as we are that a general circulation thereof will be advantageous and tend materially to revive the interest which at present seems to have lessened among us.

The subscription price is two dollars for one year, and can be sent to the editor, Benj. F. Peixotto, 39 Broadway, New York.

Fraternally yours,

B. MAHLER, President.
A. ABRAHAM, Secretary.

The following amendments to by-laws were received and approved :

From Bethel, No. 4—Referring to payment of sick benefits.

" Mt. Carmel, No. 20—Creating an Endowment Contingent Fund.

" Abraham, No. 58—Specifying fees for initiation.

" Zion, No. 62—Regulating time for which Trustees shall be elected ; and specifying fees for admission on card.

" Joseph, No. 73—Providing for appointment of a sick committee.

" Sholem, No. 78—Regulating period for which sick benefits shall be paid.

" Standard, No. 215—Repealing the law for payment to Indigent Students' Fund of Hebrew Union College.

Digitized by Google

From Harmony, No. 149—A law providing for monthly meetings of the lodge was rejected as being unconstitutional.

" Barzillai, No. 111—A so-called amendment was received which came in the shape of a resolution adopted at a lodge meeting which was not approved, inasmuch as it was declared incompetent for a lodge to amend a law by a resolution.

The following letter was read by the Secretary:

Standard Lodge No. 215, I. O. B. B.

To the Officers and Members of District Grand Lodge No. 2:

BRETHREN: At a regular meeting of this lodge held on August 9, the President ruled that inasmuch as the newly revised ritual makes no mention of the wearing of any regalia, hereafter it would be unnecessary to wear any. From this decision an appeal was made to the lodge and the chair was sustained, all of which is respectfully submitted. Fraternally Yours,

[SEAL] H. BURGAUER, *Secretary.*

The above having been taken up for action it was on motion:

Resolved, That the Secretary notify Standard Lodge, that as the General Committee are not cognizant of any legislation by which the wearing of regalia was abolished, the lodge is requested to continue the wearing of regalia as heretofore.

The opinion of the District Court of Appeals in the case of Harmon *et al, vs.* Zion Lodge No. 62, which had been before the Court for judgment, was presented:

H. Harmon and L. Hyneman, *against* Zion Lodge, No. 62, I. O. B. B. } Appeal No. 2.

STATEMENT OF FACT.

The By-Laws of Zion Lodge (Art. IX., Sec. 8) require the attendance of the lodge at the funeral of a brother.

Art. XI., Sec. 3. provides as follows: "Every member must be

Digitized by Google

present at the meeting and go to the cemetery, for the purpose of attending the funeral of a deceased brother and return to the lodge room.

For each omission in such case he shall be fined one dollar, excepting the deceased was a near relative," &c.

On June 27th, at a meeting of Zion Lodge certain members were reported as absent at a lodge meeting called to attend, and on returning from, the funeral of a deceased brother. On the call of such names the President declared the first named, fined two dollars, which on appeal was sustained by the lodge. The President made the same ruling as against the second named and this, on appeal the lodge reversed. It was then declared as the sense of the lodge that a fine of one dollar only, could be imposed under the laws referred to.

From this conclusion appellants prosecute this appeal and contend that the law is explicit, in providing for three distinct offences,—namely: A failure to attend the lodge opening; a failure to go to the cemetery and a failure to return to the lodge,—and a fine of one dollar for each.

Opinion.

We unite in the following views: The law in question made it incumbent upon every member (not within the exceptions of Sec. 3.) to be present at the lodge room, to go thence to the cemetery and return to close the lodge and a failure to do either or all made a member so delinquent liable to a maximum fine of one dollar.

While the term "each omission" may be ambiguous, as referring to the general duty or to each particular act in the performance of that duty, as the provision is a *penal* one, we are constrained to construe it most liberally, and as we believe most reasonably.

This appeal is dismissed and the conclusion of Zion Lodge sustained.

Victor Abraham,
Nathan Drucker,
M. J. Mack,
Marcus R. Sulzer,
Nathan Morris.

The Committe on State of the Order, appointed at last meeting reported progress and asked for further time which was granted.

The meeting then adjourned.

Digitized by Google

The third meeting of the General Committee was held on March 13, 1887, at which were present Brothers Jos. May, Second Vice-President; Morris Bauer, Treasurer; A. Abraham, Secretary; J. N. Heims, Chas. Hirshland and Gus. Loewenstein.

In the absence of the President and First Vice-President, Brother May, Second Vice-President, presided.

The minutes of last meeting were read and approved.

From District Gr. L. No. 1, a set of resolutions appropriate on the death of our Brother Nathan Bloom, adopted at the annual session of the D. G. L., was received and was reverently referred to the coming annual meeting of the District Grand Lodge.

From same D. G. L. notice was received of the following changes in the list of the Lodges of the District:

Arnon Lodge No. 39 and Centennial No. 255, both of New York, had surrendered their charters and consolidated under the name of Arnon-Centennial Lodge No. 39.

Harlem Lodge No. 254, of New York, had surrendered its charter and merged in a body into Lebanon, No. 9.

David Einhorn Lodge No. 253, of Rochester, N. Y., had surrendered its charter and was lawfully dissolved on December 21, 1886

From District Grand Lodge No. 4, notice was received of the institution of Victoria Lodge No. 365 at Victoria, British Columbia, on September 7, 1886.

From District Grand Lodge No. 5, notice was received of the surrender of the charter of Raphael Lodge No. 145 of Americus, Ga., and that the lodge had been lawfully dissolved.

From District Grand Lodge No. 8, notice was received of the expulsion of Albert Munk, of Amicitia Lodge No. 358, of Posen, in Germany, for dishonorable conduct.

Digitized by Google

The following amendments to By-Laws were received and all approved :

From Har Moriah, No. 14—Repealing the law for payment of sick benefits.

" Joseph, No. 73—Referring to sick benefits and payment of dues.

" Barzillai, No. 111—Limiting the time and amount for sick benefits.

" Asher, No. 227—An entire new code of laws.

Certain papers were received purporting to be an appeal taken by Standard Lodge No. 215 against the action of the General Committee at its last meeting in reference to the matter of the regalia. The papers had been sent to the District Court of Appeals and by the President of the Court were returned as being informal and not properly before the Court.

On motion the papers were ordered for reference to the next annual meeting of the District Grand Lodge.

Notice was received of the resignation of Bro. Louis S. Levy as Treasurer of the Endowment Fund and the election of Bro. Louis Krohn to fill the vacancy. Bro. Krohn's bond was presented as follows :

Louis Krohn as principal, in the sum of thirty thousand dollars, with Leopold Feiss, Moses Krohn and Edward Senior as sureties ; and on motion the bond was approved and accepted.

The annual meeting of the District Grand Lodge was ordered for May 15th.

Notice was received of the death of Bro. Leon Wisebart a P. P. of Bethel Lodge No. 4, a member of this District Grand Lodge and first Grand Nasi Abh of the District. The funeral of the deceased

Digitized by Google

brother would take place in Cincinnati this day, and Bros. Bauer, Abraham and Loewenstein were appointed to represent the Grand Lodge at the funeral.

There being no further business the General Committee adjourned *sine die.*

A. ABRAHAM,

Sec'y, D. G. L. No. 2.

Digitized by Google

PRESIDENT'S MESSAGE.

To the Officers and Members of District Grand Lodge No. 2, I. O. B. B., in Convention assembled, May 15th, 1887:

BRETHREN: With conflicting feelings do we convene here to-day, for the purpose of promoting the interests of our Order; one of joy, as we meet our fellow members who have met with us for many years to renew and foster the spirit of *Benevolence*, *Brotherly Love* and *Harmony*; and one of sorrow, as we miss the familiar faces of our departed brethren many of whom were the pioneers of our Order.

Notably among our departed ones are: Brother L. H. Weisbart a charter member of Bethel Lodge No. 4, and the first Grand-President of our District Grand Lodge No. 2, having been installed to this position on the 29th day of October, 1851, who died lately in Denver, Col., and Brother Nathan Bloom who departed this life January 14, 1887, a past Grand President of our District and at the time of his demise a member of the Executive Board of our Order, a member of our Endowment Board, a director of our Orphan Asylum, and a director of the Home for the Aged and Infirm Israelites. It is peculiarly fitting that we should meet here in the City of Louisville, the home of our departed brother, and pay proper tribute to his many merits and virtues. I would recommend that an afternoon be devoted to memorial services in commemoration of our departed brethren and that said services be open to the public.

OUR ORDER

Is to be congratulated upon the fact that we still continue to be the citadel of attacks made by sciolists and visionary people because we persist in following only *that* which is practical, and seek to avoid the dangers of false theories.

Digitized by Google

Were we to be judged by the numerical strength of the Order, at the first glance it might appear that we were on the wane; however, when we take into consideration the fact that during the past year laws were put into force and effect compelling the various Districts to so frame their laws as to make it obligatory on the part of the members of our Order to keep faith with their associates, it will readily be seen that we would lose such persons as were *members* for *revenue only.*

In the opinion of your President the time has come when we should aim (in terms most positive) to refute the idea that ours is only a beneficial institution whereby those joining our Order can be financially benefited, but on the contrary we should only invite entrance within our portals on the score of enabling those who join to be placed in a position whereby they can be of service to others. Our membership has been permitted to shift about without any centralized or responsible heads; in short, it has been left to the various Districts and they in turn have left the same to their subordinate lodges, and they, like their superiors, have permitted the same to go by default because they were not accountable to any body. I would therefore recommend that this Grand Lodge petition the Executive Committee of our Order to employ some one of our many capable members, as an organizer and lecturer whose time should be apportioned throughout the several Districts.

Our District

Happily has not been affected by any causes which have depressed our sister Districts, for the reason that we had previously passed through the ordeal which they are now undergoing. A comparison between the years of 1885 and 1886 will show that the loss in the former year was one hundred members, and during the year ending December 31st, 1886, our loss was only twenty-nine members, the decrease being nominally so small as to show *conclusively* that with

Digitized by Google

only *ordinary* efforts our membership can be very materially increased; who shall look after this is a question for you to determine; shall we quietly wait for our Constitution Grand Lodge to take action, or shall we wait for the subordinate lodges to act independent of us? In the former we would procrastinate no time, in the latter event the old adage of everybody's business is nobody's would prevail; hence, I would urge that this Grand Lodge should pass a resolution authorizing your incoming General Committee to employ some active and energetic member to take charge of this department, under the direction of said General Committee, for preliminary work has already been performed in a number of towns, and with reasonable application a number of lodges ought to be organized the coming year.

Our General Committee

Has held three meetings, one in Cleveland, O., July 11th, 1886, and two in the city of Cincinnati, Oct. 17th, and Mar. 13th; the business has mainly been of a routine character. A circular from the Executive Committee announcing the publication and selection of the Menorah as the official organ of the Order was further promulgated by your committee recommending the same to the favorable consideration of the members of our District.

An appeal from the Executive Committee on behalf of the sufferers by the earthquake at Charleston was promptly distributed, and donations were freely and liberally forwarded by the various lodges throughout our District.

Legislation.

I would recommend legislation upon the following: Restricting or prohibiting members from going as surety upon a bond and having a vote upon the adoption or approval of the same, for it is essential that their acceptance should be judged entirely upon the security offered and be free from all influences of associate members.

Digitized by Google

The District Grand Lodge to elect a majority of members of the General Committee residing at the seat of government, namely, Cincinnati, O. An amendment of this charter will be introduced, and I would urge its adoption.

To prevent subordinate lodges from assuming to pay sick benefits either for a definite or indefinite period of time without first having provided for a sufficient fund reasonably proportionate to their liability and creating an endowment board as a supervisory body to approve or reject propositions.

Our Endowment Fund

Is well cared for at the hands of our efficient board, although the death rate was unusually large, namely :—thirty-six members, which involved an outlay of $36,000, and begining the year of 1886 with a new reserve fund of $193,236. 85, they close the year with a reserve fund of $223,337.51, showing a net gain of $30,100.66. With these facts before me I am impelled to commend their official acts for your hearty endorsement and co-operative support.

Our Orphan Asylum.

This, our noble institution, the pride of our Order, has prospered extremely well. At our last meeting held in the city of Cincinnati, you authorized the trustees to cause to be erected a new home—a refuge for the homeless to shelter them from all storms. In conformity with your wishes the officers immediately entered into contracts and are causing to be erected a large commodious structure capable of supplying the increasing demands for many years to come. The building when completed will certainly be a monument creditable to our Order and all Israelites.

Early last fall the officers of the Asylum issued an appeal to the Israelites throughout Districts Nos. 2, 6 and 7 ; many cities and lodges responded promptly; others who are known to be charitably

Digitized by Google

inclined have been slow in lending a helping hand. This however, can be attributed to several causes; one, local demands of an unusual character; another, and the main reason is, that the increased activity in all commercial centres has in a measure diverted the attention of our active spirits and primè movers. Aside of the building fund raised some years since in the city of Cincinnati, the Asylum officers had comparatively speaking, no means wherewith to erect this edifice, however, recalling the fact that they were directed to move in the matter, by three District Grand Lodges, they entered upon this gigantic undertaking, basing their action upon their *faith* in your active and hearty support, *hoping* that your efforts will be rewarded by a bounteous harvest of the wherewithal to complete this noble *charity*.

It is estimated that the amount secured in the various Districts will reach the sum of $45,000; estimated that the amount still required will be $75,000. Shall the appeal for the Orphans' Home be in vain? With these facts before us, I recommend that this Grand Lodge *supplement* the appeal of the Orphan Asylum officials, calling upon all cities and lodges within our District, that have not as yet taken action, to do so at an early day, so that our asylum can be speedily completed and stand symbolic as one of our cardinal principles, *Benevolence*.

In conclusion, brethren, I desire to tender my thanks to the General Committee, officers and members of this Grand Lodge, and trust that your deliberations will be conducive towards promoting the noble principles of our Order, and that you may be inspired with renewed strength and vigor to carry on our sacred obligations, and when we return to our happy family circles it will be with a determination that in this, our hour of contentment and prosperity, we will not forget the wants and necessities of those in adversity.

Fraternally yours,

B. MAHLER, *President*.

Digitized by Google

Secretary's Financial Report.

A. ABRAHAM, Secretary, in account with District Grand Lodge No. 2, I. O. B. B,

1886.	Receipts.	Dr.	Cr.
Jan.	To quarterly dues from Lodges, 1st Quarter	$ 385 16	
April	" " " " 2d "	371 24	
July	" " " " 3d "	362 76	
Oct	" " " " 4th "	355 37	
May	To entrance fees from Past Presidents	38 00	
	Disbursements.		
Feb. 14	By cash to M. Bauer, Treasurer . . .		$ 375 42
May 23	" " " " . . .		296 75
July 19	" " " " . . .		147 03
Oct. 15	" " " " . . .		321 20
Nov. 30	" " " " . . .		372 13
		$1,512 53	$1,512 53

Digitized by Google

RECEIPTS FOR LODGE DUES

DURING THE PAST YEAR.

LODGES.	No.	1ST QUAR.	2D QUAR.	3D QUAR.	4TH QUAR.	TOTAL.
Bethel	4	$ 32 75	$ 32 63	$ 32 50	$ 32 63	$ 130 01
Jerusalem	6	15 62	15 62	15 50	15 12	61 86
Har Moriah	14	18 62	18 63	18 50	18 50	74 25
Solomon	16	16 13	16 13	16 13	16 13	64 52
Mt. Carmel	20	23 75	23 50	23 25	23 00	93 50
Missouri	22	16 50	16 50	16 40	16 25	65 65
Thisbe	24	12 25	12 13	12 12	12 13	48 63
Mendelssohn	40	15 25	15 25			30 50
Ebn Ezra	47	13 25	13 12	13 00	12 87	52 24
Montefiore	54	16 62	16 62	16 62	16 37	66 23
Eshcol	55	7 75	7 75	7 75	7 75	31 00
Abraham	58	10 87	10 75	10 75	11 25	43 62
Em'kB'racha	61	8 75	8 75	8 88	8 88	35 26
Zion	62	8 50	8 38	8 25	8 13	33 26
Joseph	73	8 63	8 75	8 75	8 75	34 88
Sholem	78	12 35	3 40	5 25	5 25	26 25
Osterman	86	15 88	15 75	15 63	15 38	62 64
Spinoza	108	13 50	13 50	13 37	13 25	53 62
Gan Eden	110	3 25	3 00	3 00	3 00	12 25
Barzillai	111	6 87	6 88	6 62	6 75	27 12
Hagar	135	4 63	4 63	4 75	4 63	18 64
Harmony	149	5 40	5 40	5 40	5 40	21 60
Denver	171	10 25	11 50	12 50	13 00	47 25
Achim	176	9 60	9 25	9 12	9 00	36 97
Ephraim	183	5 00	5 00	5 00	5 13	20 13
Kansas City	184	7 63	7 63	7 63	7 75	30 64
Gihon	195	3 13	3 12	3 25	3 38	12 88
Julius Fuerst	196	4 75	4 75	4 50	4 50	18 50
Etz Chaim	205	3 25	3 25	3 40	3 25	13 50
Standard	215	12 50	12 37	12 50	12 63	50 00
Asher	227	3 90	2 90	3 90	4 15	15 85
Queen City	258	5 00	5 00	5 25	5 25	20 50
Riverside	285	2 62	2 62	2 62	2 62	10 48
Lexington	289	2 75	2 75	2 75	2 88	11 13
Wabash	292	3 75	3 75	3 63	3 25	14 38
Trinidad	293	5 13	4 90	4 90	4 90	19 83
Ligonier	298	3 00	3 00	3 00	3 00	12 00
Ohio	310	1 88	1 88	1 88	1 75	7 39
Esther	323	4 25		8 50	4 13	16 88
Mamre	329	2 25	2 25	2 13		6 63
Twin City	331	1 50	1 50	1 50	1 50	6 00
Albuquerqe	336	2 65	2 75			5 40
Youngstown	339	3 25	3 00	2 38	2 38	11 01
		$ 385 16	$ 371 24	$ 362 76	$ 355 37	$ 1,474 53

Digitized by Google

Treasurer's Financial Report.

MORRIS BAUER, Treasurer, in account with District Grand Lodge No. 2, I. O. B. B.

1886.	Receipts.	Dr.	Cr.
Jan. 1	To balance on hand,	$1,701 52	
Feb. 14	To cash from Secretary,	375 42	
May 23	" " "	296 75	
July 18	" " "	147 03	
Oct. 15	" " "	321 20	
Nov. 30	" " "	372 13	
1886.	**Disbursements.**		
Jan. 24	By Order No. 1		$ 250 00
"	" " 2		12 50
"	" " 3		12 50
"	" " 4		5 50
April 14	" " 5		250 00
"	" " 6		12 50
"	" " 7		12 50
"	" " 8		5 50
"	" " 9		40 00
May 24	" " 10		25 00
"	" " 11		12 00
"	" " 12		14 20
July 11	" " 13		250 00
"	" " 14		12 50
"	" " 15		12 50
"	" " 16		8 00
"	" " 17		164 50
Oct. 17	" " 18		250 00
"	" " 19		12 50
"	" " 20		12 50
"	" " 21		6 50
"	" " 22		18 25
"	" " 23		3 20
"	" " 24		16 25
"	" " 25		2 00
Dec. 22	" " 26		2 00
	Amounts forward,	$3,214 05	$1,422 90

Digitized by Google

MORRIS BAUER, Treasurer, in account with District Grand Lodge No. 2, I. O. B. B.

1886.	**Disbursements.** CONTINUED.	Dr.	Cr.
	Amounts brought forward	$3,214 05	$1,422 90
Dec. 27	By Order No. 27, . .		3 60
" 31	" " 28, . .		5 25
	By balance on hand, . .		1782 30
		$3,214 05	$3,214 05

Specification of Payments as per Treasurer's Vouchers Nos. 1 to 28—$1,431 75.

Salary to Secretary, ...	$1,000 00
Salary to Messenger, ...	50 00
Hall Rent, ...	50 00
Appropriation to Janitor at Annual Meeting, .	25 00
Traveling Expenses of Grand Lodge Officers, .	70 45
New Bookcase for Grand Lodge Records, . .	18 25
One year's subscription to Menorah, . . .	2 00
For five hundred copies of Endowment Report, .	12 00
Printing Annual Report of Proceedings and President's Message,	151 55
For Sundry Printing and Stationery, . . .	12 95
Binding Reports, ...	5 20
Postal, Express and Telegraph charges, . .	34 35
	$1,431 75

Digitized by Google

SECRETARY'S STATISTICAL REPORT,

TO

ANNUAL MEETING AT LOUISVILLE, KY.,

MAY 15th, 1887.

The statistics of the District for the past year, while they show an increase in the aggregate funds do not exhibit any addition to the membership, but on the contrary show a net loss of twenty-nine members, and which but for the unusual gain of thirty-one members in one of our lodges would have been that much more. This loss, repeated as it is now from year to year, is a sad commentary on the lack of interest that has grown in our District, and emphatically calls for some effort by which a new life might be infused into our lodges. The onerous charges for lodge dues bear heavily on a large number of our members and prevent the accession of a young and healthy element that could otherwise be induced to join our ranks.

The increase in our aggregate funds has been $1,812.55, but this is in a measure accounted for by the decrease in the gross amount paid out for benefits which is $1,877.93 less than it was in the preceding year, many of our lodges having been compelled to materially lessen the sums formerly paid for sick and funeral benefits. It is, however, pleasant in view of the apparent depression in our District to note one lodge that has been so mindful of its ilbogation to the Order: Denver Lodge, No. 171 has notably

Digitized by Google

earned especial mention in having added thirty-one members to its roll, and if a few more of our lodges would follow so praiseworthy an example our District would soon regain its former prëeminence.

The effort made last year to induce Ohio Lodge, No. 310, of Akron, Ohio, to maintain its position in the Order has unfortunately failed of its purpose; the difficulty of holding its meetings, from the almost utter impossibility of getting a quorum has disheartened the few still retaining their membership and an application has been made to permit the lodge to surrender its charter. This is a step that has long been expected but is none the less painful when it has come, and shows the mistake in starting lodges in small places wherein the element from which we can draw cannot be made capable of maintaining one in good working order.

The aggregate funds of the District for the year ending December 31, 1886, were		$122,332.89
The aggregate receipts for the year ending December 31, 1886, were		84,349.13
		$206,682.02
The aggregate disbursements for the year ending December 31, 1885, were		82,536.58
Leaving the aggregate funds of the District on January 1, 1887		$124,145.44
And showing a net gain of $1,812.55.		
The aggregate benefits paid in the year ending December 31, 1885, were		$47,880.32
The aggregate dues to the Orphan Asylum were		6,238.70
		54,119.02
The benefits paid to Dec. 31, 1886, were	$46,134.17	
The dues to Orphan Asylum for same were	6,107.10	
		52,241.27
Showing a decrease of . . .		$1,877.75

Digitized by Google

MEMBERSHIP.

The contributing members December 31, 1885, were .		3024
Members initiated in 1886, were . . .	73	
" admitted by card in 1886, were . .	17	
	—	90
		3114
Members withdrawn in 1886, were . . .	26	
" suspended " " " . . .	53	
" deceased " " " . . .	40	
	—	119
Leaving a total membership January 1st, 1887 .		2995

A net loss of 29 members.

Respectfully submitted,

A. ABRAHAM, SEC., D. G. L. No. 2.

Digitized by Google

GENERAL REPORT OF DISTRICT

For the Year Ending

The District numbers Forty-three Lodges, with 2,995 Contributing

NAMES OF LODGES.	Number.	LOCATION.	Initiated.	Admitted by Card and Reinstated.	Withdrawn by Card.	Suspended.	Expelled.	Deceased.	Contributing Members.	Aggregate Amount of Funds.
Bethel	4	Cincinnati, O				2		8	252	$ 15,243 55
Jerusalem	6	Cincinnati, O	1			2		3	121	5,049 67
Har Moriah	14	Louisville, Ky	1	2		2		1	149	7,622 85
Solomon	16	Cleveland O	1					1	129	7,862 88
Mt. Carmel	20	Cincinnati, O			2			8	180	14,673 28
Missouri	22	St. Louis, Mo	1	1		1		2	131	10,923 77
Thisbe	24	Evansville, Ind				1			96	2,104 41
Mendelssohn	40	Louisville, Ky	2	1				1	122	2,529 64
Ebn Ezra	47	St. Louis, Mo	1	1	2	2		1	103	5,046 62
Montefiore	54	Cleveland, O			1	3			129	5,547 14
Eshcol	55	Dayton, O						1	61	5,430 47
Abraham	58	Indianapolis, Ind	4		1	2		2	86	2,734 45
Emek Beracha	61	Ft. Wayne, Ind	1			1			70	2,884 11
Zion	62	Columbus, O	1			2		2	65	3,948 51
Joseph	73	St. Joseph Mo	6			2		1	72	2,849 74
Sholem	78	Leavenworth Kan							42	759 40
Osterman	86	Cincinnati, O				2		2	123	4.590 28
Spinoza	108	Cincinnati, O,				3		2	103	6,213 35
Gan Eden	110	Terre Haute Ind				2		1	23	1,161 42
Barzillai	111	Lafayette. Ind	5	2			2		60	745 25
Hagar	135	Madison, Ind	1				1	1	36	886 45
Harmony	149	Paducah. Ky	1						44	47.31
Denver	171	Denver, Col	26	5			2		111	1,769 49
Achim	175	St. Louis, Mo	2				5	1	73	471 33
Ephraim	183	Toledo, O	3						43	871 94
Kansas City	184	Kansas City, Mo	1	2	1	2			61	2,237 50
Gihon	195	Zanesville, O	1	1					27	1,021 66
Julius Fuerst	196	St. Louis, Mo			1	1			36	678 93
Etz Chaim	205	Vincennes,, Ind	1		1				26	336 86
Standard	215	Cincinnati O		2	1				101	2,926 30
Asher	227	Owensboro, Ky	7					1	37	398 65
Queen City	258	Sedalia, Mo	2			1			41	915 44
Riverside	285	Louisania, Mo	1						22	254 68
Lexington	289	Lexington, Ky	1						23	248 73
Wabash	292	Wabash. Ind			2	3			25	591 37
Trinidad	293	Trinidad, Col				3			38	1,612 55
Ligonier	298	Ligonier, Ind							24	188 02
Ohio	316	Akron, O			1	1			13	103 42
Esther	323	Indianapolis, Ind	1		1	3			31	29 79
Mamre	329	South Bend. Ind				1			17	285 72
Twin City	331	Pueblo, Col			1				11	82 09
Albuquerque	336	Albuquerque, N M			1	1			20	202 23
Youngstown	339	Youngstown, O	1		1	7		1	18	64 19
		Totals,	73	17	26	53		40	2,995	$ 124,145 44

Digitized by Google

GRAND LODGE NO 2, I. O. B. B.

December 31, 1886.

Members, and has an Aggregate Capital of $124,145 44.

AMOUNTS OF BENEFITS PAID.					Dues Paid to Orphan Asylum.	Revenue to District Grand Lodge.
To their Own Members.	To their Widows and Orphans.	To same from Covenant Endowment Fund.	To Members of Other Lodges and Strangers.	Total Amount of Benefits Paid.		
$1,629 60		$ 6,000 00	$ 25 00	$ 7,654 60	$ 520 50	$ 130 01
350,35		3,000 00	10 00	3,360 35	248 00	61 86
204 25	$ 264 00	1,000 00	195 00	1,663 25	296 00	74 25
209 00	360 00	1,000 00	30 00	1,599 00	258 00	64 52
133 80	110 00	7,000 00	35 00	7,278 80	374 00	93 50
270 00	286 00	2,000 00	10 00	2,566 00	262 50	65 65
	136 00		240 00	376 00	194 50	48 63
236 00		1,000 00	115 00	1,351 00	300 00	30 50
240 65		1,000 00	105 00	1,345 65	209 00	52 24
10 63	48 00		25 00	83 63	265 00	66 23
	85 79	2,000 00	15 00	2,100 79	123 50	31 00
	610 00	2,000 00	35 00	2,645 00	174 00	43 62
88 00	96 00		30 00	214 00	140 50	35 26
212 50		2,000 00	35 00	2,247 50	133 00	33 26
125 00	512 50	1,000,00	25 15	1,662 65	139 50	34 88
45 00				45 00	83 50	26 25
170 00		2,000 00	25 00	2,195 00	250 50	62 64
249 00	239 72	1,000 00	10 00	1,498 72	212 00	53 62
	44 00	1,000 00	60 00	1,104 00	50 00	12 25
155 00	22 33		50 00	227 33	105 50	27 12
4 00		1,000 00	5 00	1,009 00	74 00	18 64
			25 60	25 60	86 00	21 60
	188 50		50 00	238 50	203 50	47 25
	155 65	1,000 00	10 00	1,165 65	148 00	36 97
240 00			49 50	289 50	80 50	20 13
15 00			100 10	115 10	123 10	30 64
7 00			10 00	17 00	52 50	12 88
60 00			15 00	75 00	72 00	18 50
20 00			12 00	32 00	52 50	13 15
310 00			45 05	355 05	200 00	50 00
215 00		1,000 00		1,215 00	68 00	15 85
			85 00	85 00	82 50	20 50
			2 50	2 50	42 00	10 48
			25 00	25 00	33 00	11 13
					55 50	14 38
25 00			25 00	50 00	79 00	19 83
					48 00	12 00
					54 00	7 39
					66 00	16 88
20 00			15 00	35 00	27 00	6 63
					24 00	6 00
166 00			15 00	181 00	42 00	5 40
					54 50	11 01
$5,410 78	$3,158 49	$36,000 00	$1,564 90	$46,134 17	$6,107 10	$1,474 53

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google